



राजपत्र, हिमाचल प्रदेश

हिमाचल प्रदेश राज्य शासन द्वारा प्रकाशित

वीरवार, 02 सितम्बर, 2021 / 11 भाद्रपद, 1943

हिमाचल प्रदेश सरकार

LABOUR AND EMPLOYMENT DEPARTMENT

NOTIFICATION

Dated, the 23rd July, 2021

No. Shram (A) 6-2/2020 (Awards) Dharamshala.—In exercise of the powers vested under section 17 (1) of the Industrial Disputes Act, 1947, the Governor Himachal Pradesh is pleased to order the publication of awards of the following cases announced by the Presiding

Officer, Labour Court, Dharamshala on the website of the Department of Labour & Employment Government of Himachal Pradesh:—

Sl. No.	Ref. No.	Petitioner	Respondent	Date of Award/Order
1.	670/16	Jai Dev	E.E. HPPWD, Sarkaghat & Others.	03-05-2021
2.	659/16	Balwant Singh	-do-	03-05-2021
3.	656/16	Jagdish Chand	-do-	03-05-2021
4.	655/16	Daulat Ram	-do-	03-05-2021

By order,

RAM SUBHAG SINGH, IAS
Addl. Chief Secretary (Lab. & Emp.).

IN THE COURT OF SHRI YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (H.P.)

Ref. No. : 670/2016

Date of Institution : 17-9-2016

Date of Decision : 03-5-2021

Shri Jai Dev s/o Shri Gangu Ram, r/o V.P.O. Balda, Tehsil Sarkaghat, District Mandi, H.P. . *Petitioner.*

Versus

1. The Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P.
2. The Executive Engineer, B&R Division, H.P.P.W.D. Sarkaghat, District Mandi, H.P. . *Respondents.*

Reference under Section 10 (1) of the Industrial Disputes Act, 1947

For the Petitioner : Sh. S.S. Sippy, AR

For the Respondent(s) : Sh. Anil Sharma, Dy. D.A.

AWARD

The below given reference has been received from the appropriate Government for adjudication:

“Whether alleged termination of the services of Shri Jai Dev s/o Shri Gangu Ram, r/o V.P.O. Balda, Tehsil Sarkaghat, District Mandi, H.P. during November, 1998 by (i) the Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P. (ii) the Executive Engineer, B&R Division, H.P.P.W.D. Sarkaghat, District Mandi, H.P. who has worked as beldar on daily wages basis only for 50, 58, 46.5 and 74 days during the years 1995, 1996, 1997 and 1998 respectively and has raised his industrial dispute *vide* demand notice dated 10-06-2015 after delay of more than 16 years, without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, keeping in view of working period stated above and delay of more than 16 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers/management?”

2. In pursuance to the reference the petitioner has averred in the statement of claim that he had worked with respondent No. 2 in B&R Sub Division, Baldwara as a daily waged beldar in the years 1995-1998. His services were orally dispensed with by the respondents on the pretext of lack of funds/budget. However, he was assured that he would be called to work, as and when funds/budget were available. But, he was never called again thereafter. He had approached the respondents time and again for his re-engagement, but without success. No notice had been served upon him nor any retrenchment compensation had been paid. Persons junior to him and also new workers, namely, S/Sh. Ramesh Chand, Mehar Singh, Manohar Lal, Karam Singh, Jiwan Lal, Baldev Chand, Duni Chand, Sunil Kumar, Roop Lal, Mast Ram, Kamlesh Kumar, Jagdish Chand, Nand Lal, Ghanshyam, Milap Singh, Balwant Singh, Padam Nath and Tulsi etc. were engaged. In addition to it 411 other junior workers were retained. Fictional breaks were given to him so that he could not complete 240 days in a year. The action of the respondent is stated to be in violation of the provisions of Sections 25-B, 25-F, 25-G and 25-H of the Industrial Disputes Act, 1947 (hereinafter referred to as ‘the Act’ for short). He is unemployed till date. Hence, the petition for his re-engagement with all consequential benefits.

3. On notice, the respondents appeared. They filed a joint reply taking preliminary objections regarding lack of maintainability and that the petition was bad on account of delay and laches. The contents of the petition were denied on merits. However, it is asserted that the petitioner had worked intermittently as a daily waged beldar with respondent No. 2 *w.e.f.* September, 1995 to November, 1998. He had only worked for 50 days in the year 1995, 58 days in the year 1996, 46½ days in the year 1997 and for 74 days in the year 1998. The services of the petitioner had never been terminated by the respondents. He himself had left the work of his own sweet will. It is denied that the petitioner had made oral as well as written requests to the respondents for re-engagement. He had only raised the demand notice in the year

2015, which was responded to by the respondents. Only those workers have been regularized by the department who had completed the requisite criteria for regularization as per the Government policy. It is denied that 411 junior workers had been regularized by the respondents. No fictional breaks had ever been given to the petitioner. He had never completed 240 days in any calendar year. So, there was no need to serve any notice upon him under Section 25-F of the Act. Since the petitioner had left the job of his own free volition, there is no violation of the provisions of Sections 25-G and 25-H of the Act by the respondents. The petitioner is gainfully employed, being an agriculturist. Hence, it is prayed that the claim petition be dismissed.

4. While filing the rejoinder, the petitioner controverted the averments made in the reply and reiterated those in the statement of claim.

5. Out of the pleadings of the parties, the following issues were settled for determination and adjudication by this Court *vide* order dated 26-6-2018:

1. Whether termination of services of the petitioner by the respondents during Nov., 1998 is/was legal and justified as alleged? . . . *OPP.*
2. If issue No. 1 is proved in affirmative, to what service benefits the petitioner is entitled to? . . . *OPP.*
3. Whether the claim petition is not maintainable in the present form as alleged? . . . *OPR.*
4. Whether the claim petition is bad on account of delay and laches on the part of petitioner as alleged? . . . *OPR.*

Relief.

6. Thereafter, the parties to the list were directed to adduce evidence in support of the issues so framed.

7. Arguments of the learned vice counsel for the petitioner and the learned Deputy District Attorney for the respondents heard and records gone through.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1 : Decided accordingly

Issue No. 2 : Lump sum compensation of ₹35,000/-

Issue No. 3 : No

Issue No. 4 : No

Relief. : Petition is partly allowed awarding lump sum compensation of ₹35,000/- per operative part of the award.

REASONS FOR FINDINGS

Issues No.1, 2 and 4 :

9. All these issues are intrinsically connected with each other and required common appreciation of evidence, hence are taken together for the purpose of determination and adjudication.

10. The petitioner, namely, Shri Jai Dev examined himself as PW1 and filed his affidavit in evidence, which is exhibited as Ex. PW1/A. In his affidavit, he reiterated the contents of his statement of claim.

In the cross-examination, he admitted that he had worked for 50 days in the year 1995, 58 days in the year 1996, 46.5 days in the year 1997 and for 74 days in the year 1998. He also admitted that he had not worked in the department in August, 1995, March, April & May, 1996, June to September, 1997 and March, 1998. He denied that he had never been disengaged by the department. He also denied that he himself had left the job of his own sweet will. He had given in writing to the department in the years 1999, 2001, 2004, 2006, 2007, 2009, 2011 and 2013 to re-engage him. He was categorical that he cannot produce any document in this regard. He also admitted that he had raised the demand notice in the year 2015. He denied that after the year 1998 he had left the job of his own free volition. He denied that he had not worked for 240 days in any year. However, he admitted that he cannot produce any document to show that he had worked continuously for 240 days in a year. He owns land, which he cultivates. He denied that he was making a phoney statement.

11. Conversely, Shri Vinod Kumar Sharma (respondent No. 2) testified as RW1. In his affidavit Ex. RW1/A filed as per Order 18 Rule 4 of the Code of Civil Procedure, he corroborated on oath the contents of the reply filed by the respondents.

In the cross-examination, he denied that the petitioner had worked as a daily wager from the year 1995 upto the year 1998. Volunteered that, he had only worked for 50 days in the year 1995, 58 days in the year 1996, 46.5 days in the year 1997 and for 74 days in the year 1998. He specifically denied that the petitioner had completed 240 days in a calendar year. He also denied that fictional breaks were given to the petitioner by the department so that he could not complete 240 days. Further he denied that the petitioner had been disengaged by the department after November, 1998. He clearly denied that thereafter the petitioner orally as well as in writing had requested the department to re-engage him. He admitted that the department has prepared the seniority list of the workers, which is Ex.RW1/C on the file. He also admitted that as per Ex.RW1/C workers, namely, S/Sh. Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surinder Kumar, Jagdish Chand, Nand Lal and Balwant Singh had been engaged by the department after the disengagement of the petitioner and that they are still working continuously with the department and have also been regularized. Further, he admitted that Ex.RW1/B had been issued by the department.

12. Ex.RW1/B is the copy of details of working of the petitioner in B&R Sub Division, HPPWD Baldwara.

13. Ex.RW1/C is the copy of detail of working days of Class-IV daily waged workers who have completed eight years and more service as on 31-3-2008 screened by the Screening Committee.

14. It is an admitted fact that the services of the petitioner were engaged as a daily waged beldar by the respondents and that he had worked with respondent No.2. The petitioner as per his evidence claimed that he had worked continuously from the year 1995 upto the year 1998. However, the respondents have taken the stand that the petitioner had worked intermittently with respondent No. 2 for 50 days in the year 1995, 58 days in the year 1996, 46.5 days in the year 1997 and for 74 days in the year 1998. The details of working of the petitioner has been produced on record by

the respondents as Ex. RW1/B. It appears to have not been disputed by the petitioner, as it was merely suggested by the petitioner to respondent No. 2 that Ex. RW1/B had been issued by the department. He admitted the suggestion. It was nowhere suggested to respondent No. 2 that the working details above-mentioned was not factually correct. As per the working details Ex. RW1/B, the petitioner had only worked for 50 days in the year 1995 *i.e.* 24 days in September, 1995 and 26 days in October, 1995, 29 days in January and February 1996, 26.5 days in October, 1997, 20 days in November, 1997, 28 days in February, 1998 and for 19 and 27 days in the months of September & October, 1998 respectively. The claimant/petitioner has not placed or exhibited on record any document to show that he had continuously worked from the year 1995 upto the year 1998, as claimed.

15. The version of the petitioner is that his services were wrongly and illegally terminated by the respondents in the month of November, 1998. While denying the said fact, the respondents have pleaded that the petitioner, who had worked intermittently, had left the job of his own accord and free volition.

16. It is well known that abandonment has to be proved by the employer like any other fact. Therefore, the burden of proving of abandonment is upon the respondent. It has been laid down by our own Hon'ble High Court in case titled as Narain Singh vs. The State of Himachal Pradesh & Ors., 2016 (3) Him L.R. 1875 that voluntarily abandonment of work by a workman is required to be established by way of cogent and reliable evidence by the employer. Similarly, in case titled as State of Himachal Pradesh & another vs. Shri Partap Singh, 2017 (1) Him L.R. 286, it has been held by our own Hon'ble High Court that abandonment is not to be lightly presumed, but it has to be unequivocally proved by the employer. Simply because a workman fails to report for duty, it cannot be presumed that he has left/abandoned the job. Mere statement of Shri Vinod Kumar Sharma, (RW1) alleging that the workman had abandoned the services is entirely insufficient to discharge the said onus. Admittedly, no disciplinary proceedings were initiated against the petitioner by the respondents for his alleged willful absence from duty. Absence from duty is a serious misconduct and the principle of natural justice did require that some sort of a fact finding inquiry was got conducted by the respondents. In the present case as it emerges from the evidence on record, so was not done by the respondents. Then, 'animus' to abandon, it is well settled, must necessarily be shown to exist, before a case of abandonment can be said to have been made out. No evidence of any such 'animus' on the part of the petitioner is forthcoming in the present case. Thus, the plea of abandonment put forth by the respondents/employer is not established.

17. Now the question: Whether in terminating the services of the petitioner, the respondents are proved to have violated the provisions of Section 25-F of the Act. The answer, to my thinking, is in the negative in view of the material on record.

18. Section 25-B of the Act defines "continuous service". In terms of Sub Section (2) of Section 25-B that if a workman during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer 240 days within a period of one year, he will be deemed to be in continuous service. The burden of proof is on the petitioner to show that he had worked for 240 days in the preceding twelve calendar months prior to his alleged retrenchment. In R.M. Yellatt vs. Assistant Executive Engineer, (2006) 1 SCC 106, it has been laid by the Hon'ble Supreme Court that the burden of proof is on the claimant to show that he had worked for 240 days in a given year.

19. Applying the principles laid down in the above case by the Hon'ble Supreme Court, it was required of the petitioner to establish on record that he had worked continuously for a period 240 days in a block of twelve calendar months anterior to the date of his alleged termination, which as per the reference took place in the month of November, 1998. No mandays chart of the petitioner is there on the file to establish that he had worked continuously for a period of 240 days in a block of twelve calendar months prior to the date of his alleged termination, as envisaged under Section 25-B of the Act. The petitioner while under cross-examination categorically admitted that he cannot produce any document evidencing that he had continuously worked for 240 days in a year. Then, it is evident from the working details of the petitioner, Ex.RW1/B that he had only worked for a total of 228½ days from the year 1995 uptil October, 1998. It has been laid down by the Hon'ble Supreme Court in case titled as Mohd. Ali vs. State of Himachal Pradesh and Ors. (2019) 1 SCC (L&S) 138 that when the workman had not worked for the required 240 days of working in the period of twelve calendar months preceding the date of dismissal, he is not entitled to take the benefits of the provisions of Section 25-F of the Act. Therefore, the provisions of Section 25-F of the Act are not attracted in this case.

20. Ex.RW1/C is a seniority list of beldar category workmen. It is an admitted document on the part of the respondents. Shri Vinod Kumar Sharma (RW1) categorically admitted in his cross-examination that the department has placed the seniority list of workers on the file as Ex.RW1/C. This seniority list of beldar category gains significance. The name of Shri Nand Lal figures at serial Nos. 26 of the list. He as per this list was appointed by the respondents in B&R Sub Division Baldwara in January, 1996. The names of workers figuring at serial Nos. 23 to 25 and 27 to 96 were also appointed by the respondents in B&R Divisions Sarkaghat and Baldwara in between November, 1995 to October, 1998. This list gives the year-wise working details of the above mentioned workers uptil the year 2007. The date of initial appointment of the petitioner as per the Ex.RW1/B is September, 1995. This indicates that persons junior to the petitioner had been serving the respondents/department even after the disengagement of the petitioner, which as per the reference took place on November, 1998. To my mind, the latter have failed to adhere to the principle of 'last come first go'. Retaining the juniors at the cost of the senior is nothing but unfair labour practice.

21. No only this, Shri Vinod Kumar Sharma (RW1) in his cross-examination admitted that S/Shri Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surender Kumar, Jagdish Chand, Nand Lal and Balwant Singh etc., who all were engaged by the department after the disengagement of the petitioner, are still continuously working with the department and have also been regularized. It, thus, shows that new/fresh hands were engaged by the respondents. There is nothing on the file to establish that at the time of engaging new/fresh hands or retaining the persons junior to the petitioner, any opportunity of re-employment was afforded to him (petitioner).

22. Such being the situation, I have no hesitation to conclude that the respondents have contravened the provisions of Sections 25-G and 25-H of the Act. The termination of the services of the petitioner is illegal and unjustified.

23. Faced with the situation, the Learned Deputy District Attorney for the respondents contended that there being an inordinate delay in the steps taken by the petitioner for the redressal of his grievance, his claim suffers from the vice of delay and laches, which disentitles him to the relief(s) he has prayed for. This contention, to my thinking, appears to be ill conceived. The question of delay and laches was

considered by the Hon'ble Supreme Court in case titled as Ajayab Singh vs. Sirhind Co-operative Marketing-cum-Processing Society Limited and Another, (1999) 6 SCC 82, wherein it was *inter-alia* held:

“The provisions of Article 137 of Limitation Act, 1963 are not applicable to the proceeding under the ID Act. The relief under the ID Act cannot be denied merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence. No reference to the Labour Court can be generally questioned on the ground of delay alone”.

24. In view of the aforesaid binding precedent, it cannot be said that the petition is hit by the vice of delay and laches. Of course, the delay in raising the industrial dispute by a workman can be taken into account by the Court while granting the relief(s) claimed. The observations made by our own Hon'ble High Court in case titled as Liaq Ram vs. State of H.P. and ors., 2012 (2) Him. L.R.(FB) 580 (majority view) will also be advantageous on this aspect of the matter.

25. In case titled as Assistant Engineer Rajasthan Development Corporation and another vs. Geetam Singh reported in 2013 (136) FLR 893 (SC), it was held by the Hon'ble Supreme Court that before exercising its judicial discretion, the Labour Court has to keep in view all relevant factors including the mode and manner of appointment, nature of employment, length of service, the ground on which termination has been set aside and the delay in raising industrial dispute before grant of relief in an industrial dispute. It was also observed that the workman had worked for 286 days and had raised industrial dispute in the year 1992, whereas his services had been terminated in the year 1986 and had raised industrial dispute after six years. It was held that though the compensation awarded by the Single Judge of the Hon'ble High Court was too low and liable to be enhanced by the Division Bench, but surely reinstatement of the workman in the facts and circumstances was not the appropriate relief and thus a lump-sum of Rs.1 lakh along-with interest @ 9% per annum had been awarded. Recently, in case titled as Deputy Executive Engineer vs. Kuberbhai Kanjibhai 2019 (160) FLR 651, by relying upon the cases of Bharat Sanchar Nigam Limited vs. Bhurumal (2014) 7 SCC 177 and District Development Officer & another vs. Satish Kantilal Amerelia 2018 (156) FLR 266 (SC), it has been held by the Hon'ble Supreme Court that where the workman had worked as a daily wager or muster roll employee hardly for a few years and where the dispute had been raised by him almost after 15 years of his alleged termination, he was held entitled only for lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and other consequential benefits. Similarly, in case titled as State of Uttarakhand & Anr. vs. Raj Kumar, 2019 (160) FLR 791, the Hon'ble Supreme Court has held that where a daily wager has worked for about a year and a dispute was raised by him after 25 years of the alleged termination, he had no right to claim regularization and was only entitled to lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and consequential benefits. In the case on hand before this Court, the factors which have weighed are that the petitioner in all remained engaged for about nine months and had actually worked for 228½ days as per the details of the working of the petitioner on record and that his services were disengaged in November, 1998, who had worked as non-skilled worker and had raised the industrial dispute by the issuance of demand notice after about more than sixteen years *i.e.* demand notice was given on 10-6-2015. Although, the petitioner has claimed that from time to time he had approached the respondents for being re-engaged, but in this

regard there is no document placed on the file. Taking into consideration the factors mentioned above and the precedents laid down by the Hon'ble Supreme Court in the aforementioned cases, the petitioner is not entitled for reinstatement or for back wages, but only for a lump sum compensation.

26. In view of the discussion and findings arrived at by me above, a lump-sum compensation of ₹35,000/- (Rupees Thirty five thousand only) would be an appropriate relief to which the petitioner is entitled to in the facts and circumstances of the given case. It is further made clear that the amount of compensation shall be paid within four months from the date of receipt of Award, failing which the petitioner would be entitled to interest @ 6% per annum from date of Award till its realization. Issues No. 1 and 2 are answered and decided accordingly, while issue No. 4 is decided against the respondents and in favour of the petitioner.

Issue No. 3 :

27. It has not been shown by the respondents as to how the present petition/statement of claim is not maintainable. Moreover, this issue was not pressed for by the learned Deputy District Attorney appearing for the respondents at the time of arguments. Otherwise also, from the pleadings and evidence on record, it cannot be said that the petition/statement of claim is not maintainable. Hence, this issue is decided against the respondents and in favour of the petitioner.

Relief :

28. In the light of what has been discussed hereinabove while recording the findings on the issues supra, the respondents are hereby directed to pay a compensation of ₹35,000/- (Rupees thirty five thousand only) to the petitioner in lieu of the reinstatement, back wages, seniority and past service benefits. Amount of compensation so awarded shall be paid by the respondents to the petitioner within four months from the date of receipt of Award failing which the respondents shall be liable to pay interest @ 6% per annum on the said amount from the date of award till realization/deposit of the amount. In the peculiar facts and circumstances of the case, the parties are left to bear their own costs. The reference is answered in the aforesaid terms. A copy of this Award be sent to the appropriate Government for publication in the official gazette and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 3rd day of May, 2021.

Sd/-
(YOGESH JASWAL),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Kangra at Dharamshala, H.P.

**IN THE COURT OF SHRI YOGESH JASWAL, PRESIDING JUDGE, LABOUR
COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (H.P.)**

Ref. No. : 659/2016

Date of Institution : 12-9-2016

Date of Decision

: 03-5-2021

Shri Balwant Singh s/o Shri Roop Lal, r/o Village Karadwhan, P.O. Chowk, Tehsil Sarkaghat, District Mandi, H.P. . *Petitioner.*

Versus

1. The Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P.
2. The Executive Engineer, B&R Division, H.P.P.W.D. Sarkaghat, District Mandi, H.P. . *Respondents.*

Reference under Section 10 (1) of the Industrial Disputes Act, 1947

For the Petitioner : Sh. S.S. Sippy, AR

For the Respondent(s) : Sh. Anil Sharma, Dy. D.A.

AWARD

The below given reference has been received from the appropriate Government for adjudication:

“Whether alleged termination of the services of Shri Balwant Singh s/o Shri Roop Lal, r/o Village Karadwhan, P.O. Chowk, Tehsil Sarkaghat, District Mandi, H.P. during January, 1999 by (i) the Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P., (ii) the Executive Engineer, B&R Division, H.P.P.W.D. Sarkaghat, District Mandi, H.P. who has worked as beldar on daily wages basis only for 100 and 29 days during the years 1998 and 1999 respectively and has raised his industrial dispute *vide* demand notice dated 10-06-2015 after delay of more than 16 years, without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, keeping in view of working period stated above and delay of more than 16 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers/management?”

2. In pursuance to the reference the petitioner has averred in the statement of claim that he had worked with respondent No. 2 in B&R Sub Division, Baldwara as a daily waged beldar in the years 1997-1998. His services were orally dispensed with by the respondents on the pretext of lack of funds/budget. However, he was assured that he would be called to work, as and when funds/budget were available. But, he was never called again thereafter. He had approached the respondents time and again for his re-engagement, but without success. No notice had been served upon him nor any retrenchment compensation had been paid. Persons junior to him and also new workers, namely, S/Sh. Ramesh Chand, Mehar Singh, Manohar Lal, Karam Singh, Jiwan Lal, Baldev Chand, Duni Chand, Sunil Kumar, Roop Lal, Mast Ram, Kamlesh Kumar, Jagdish Chand, Nand Lal, Ghanshyam, Milap Singh, Balwant Singh, Padam Nath and Tulsi etc. were engaged. In addition to it 411 other junior workers were retained. Fictional breaks were given to him so that he could not complete 240 days in a year. The action of the respondent is stated to be in violation of the provisions of Sections 25-B, 25-F, 25-G and 25-H of the Industrial Disputes Act, 1947 (hereinafter

referred to as 'the Act' for short). He is unemployed till date. Hence, the petition for his re-engagement with all consequential benefits.

3. On notice, the respondents appeared. They filed a joint reply taking preliminary objections regarding lack of maintainability and that the petition was bad on account of delay and laches. The contents of the petition were denied on merits. However, it is asserted that the petitioner had worked intermittently as a daily waged beldar with respondent No. 2 *w.e.f.* January, 1998 to January, 1999. He had only worked for 100 days in the year 1998 and for 29 days in the year 1999. The services of the petitioner had never been terminated by the respondents. He himself had left the work of his own sweet will. It is denied that the petitioner had made oral as well as written requests to the respondents for re-engagement. He had only raised the demand notice in the year 2015, which was responded to by the respondents. Only those workers have been regularized by the department who had completed the requisite criteria for regularization as per the Government policy. It is denied that 411 junior workers had been regularized by the respondents. No fictional breaks had ever been given to the petitioner. He had never completed 240 days in any calendar year. So, there was no need to serve any notice upon him under Section 25-F of the Act. Since the petitioner had left the job of his own free volition, there is no violation of the provisions of Sections 25-G and 25-H of the Act by the respondents. The petitioner is gainfully employed, being an agriculturist. Hence, it is prayed that the claim petition be dismissed.

4. While filing the rejoinder, the petitioner controverted the averments made in the reply and reiterated those in the statement of claim.

5. Out of the pleadings of the parties, the following issues were settled for determination and adjudication by this Court vide order dated 26-6-2018:

1. Whether termination of services of the petitioner by the respondents during January, 1999 is/was legal and justified as alleged? *..OPP.*
2. If issue No. 1 is proved in affirmative, to what service benefits the petitioner is entitled to? *..OPP.*
3. Whether the claim petition is not maintainable in the present form as alleged? *..OPR.*
4. Whether the claim petition is bad on account of delay and laches on the part of petitioner as alleged? *..OPR.*

Relief.

6. Thereafter, the parties to the list were directed to adduce evidence in support of the issues so framed.

7. Arguments of the learned vice counsel for the petitioner and the learned Deputy District Attorney for the respondents heard and records gone through.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1 : Decided accordingly

Issue No. 2	: Lump sum compensation of ₹25,000/-
Issue No. 3	: No
Issue No. 4	: No
Relief.	: Petition is partly allowed awarding lump sum compensation of ₹25,000/- per operative part of the award.

REASONS FOR FINDINGS

Issues No.1, 2 and 4 :

9. All these issues are intrinsically connected with each other and required common appreciation of evidence, hence are taken together for the purpose of determination and adjudication.

10. The petitioner, namely, Shri Balwant Singh examined himself as PW1 and filed his affidavit in evidence, which is exhibited as Ex. PW1/A. In his affidavit, he reiterated the contents of his statement of claim.

In the cross-examination, he admitted that he had worked for 100 days in the year 1998 & for 29 days in the year 1999. He also admitted that he had not worked in the department in December, 1997, October, 1998 and February, 1999. He denied that he had never been disengaged by the department. He also denied that he himself had left the job of his own sweet will. He had given in writing to the department in the years 1999, 2001, 2004, 2006, 2007, 2009, 2011 and 2013 to re-engage him. He was categorical that he cannot produce any document in this regard. He also admitted that he had raised the demand notice in the year 2015. He denied that after the year 1998 he had left the job of his own free volition. He denied that he had not worked for 240 days in any year. However, he admitted that he cannot produce any document to show that he had worked continuously for 240 days in a year. He owns land, which he cultivates. He denied that he was making a phoney statement.

11. Conversely, Shri Vinod Kumar Sharma (respondent No.2) testified as RW1. In his affidavit Ex. RW1/A filed as per Order 18 Rule 4 of the Code of Civil Procedure, he corroborated on oath the contents of the reply filed by the respondents.

In the cross-examination, he denied that the petitioner had worked as a daily wager in the years 1997 and 1998. Volunteered that, he had only worked for 100 days in the year 1998 and for 29 days in the month of January, 1999. He specifically denied that the petitioner had completed 240 days in a calendar year. He also denied that fictional breaks were given to the petitioner by the department so that he could not complete 240 days. Further he denied that the petitioner had been disengaged by the department after February, 1998. He clearly denied that thereafter the petitioner orally as well as in writing had requested the department to re-engage him. He admitted that the department has prepared the seniority list of the workers, which is Ex.RW1/C on the file. He also admitted that as per Ex.RW1/C workers, namely, S/Sh. Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surinder Kumar, Jagdish Chand, Nand Lal and Balwant Singh had been engaged by the department after the disengagement of the petitioner and that they are still working continuously with the department and have also

been regularized. Further, he admitted that Ex.RW1/B had been issued by the department.

12. Ex.RW1/B is the copy of details of working of the petitioner in B&R Sub Division, HPPWD Baldwara.

13. Ex.RW1/C is the copy of detail of working days of Class-IV daily waged workers who have completed eight years and more service as on 31-3-2008 screened by the Screening Committee.

14. It is an admitted fact that the services of the petitioner were engaged as a daily waged beldar by the respondents and that he had worked with respondent No.2. The petitioner as per his evidence claimed that he had worked continuously in the years 1997 and 1998. However, the respondents have taken the stand that the petitioner had worked intermittently with respondent No.2 and had only worked for 100 days in the year 1998 and for 29 days in the year 1999. The details of working of the petitioner has been produced on record by the respondents as Ex. RW1/B. It appears to have not been disputed by the petitioner, as it was merely suggested by the petitioner to respondent No. 2 that Ex.RW1/B had been issued by the department. He admitted the suggestion. It was nowhere suggested to respondent No. 2 that the working details above-mentioned was not factually correct. As per the working details Ex.RW1/B, the petitioner had only worked for 100 days in the year 1998 *i.e.* 24 days in January, 1998, 25 days each in February & July, 1998, 26 days in September, 1998 and for 29 days in the month of January, 1999. The claimant/petitioner has not placed or exhibited on record any document to show that he had continuously worked in the years 1997 and 1998, as claimed.

15. The version of the petitioner is that his services were wrongly and illegally terminated by the respondents in the month of January, 1999. While denying the said fact, the respondents have pleaded that the petitioner, who had worked intermittently, had left the job of his own accord and free volition.

16. It is well known that abandonment has to be proved by the employer like any other fact. Therefore, the burden of proving of abandonment is upon the respondent. It has been laid down by our own Hon'ble High Court in case titled as Narain Singh vs. The State of Himachal Pradesh & Ors., 2016 (3) Him L.R. 1875 that voluntarily abandonment of work by a workman is required to be established by way of cogent and reliable evidence by the employer. Similarly, in case titled as State of Himachal Pradesh & another vs. Shri Partap Singh, 2017 (1) Him L.R. 286, it has been held by our own Hon'ble High Court that abandonment is not to be lightly presumed, but it has to be unequivocally proved by the employer. Simply because a workman fails to report for duty, it cannot be presumed that he has left/abandoned the job. Mere statement of Shri Vinod Kumar Sharma, (RW1) alleging that the workman had abandoned the services is entirely insufficient to discharge the said onus. Admittedly, no disciplinary proceedings were initiated against the petitioner by the respondents for his alleged willful absence from duty. Absence from duty is a serious misconduct and the principle of natural justice did require that some sort of a fact finding inquiry was got conducted by the respondents. In the present case as it emerges from the evidence on record, so was not done by the respondents. Then, 'animus' to abandon, it is well settled, must necessarily be shown to exist, before a case of abandonment can be said to have been made out. No evidence of any such 'animus' on the part of the petitioner is forthcoming in the present case.

Thus, the plea of abandonment put forth by the respondents/employer is not established.

17. Now the question: Whether in terminating the services of the petitioner, the respondents are proved to have violated the provisions of Section 25-F of the Act. The answer, to my thinking, is in the negative in view of the material on record.

18. Section 25-B of the Act defines “continuous service”. In terms of Sub Section (2) of Section 25-B that if a workman during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer 240 days within a period of one year, he will be deemed to be in continuous service. The burden of proof is on the petitioner to show that he had worked for 240 days in the preceding twelve calendar months prior to his alleged retrenchment. In R.M. Yellatty vs. Assistant Executive Engineer, (2006) 1 SCC 106, it has been laid by the Hon’ble Supreme Court that the burden of proof is on the claimant to show that he had worked for 240 days in a given year.

19. Applying the principles laid down in the above case by the Hon’ble Supreme Court, it was required of the petitioner to establish on record that he had worked continuously for a period 240 days in a block of twelve calendar months anterior to the date of his alleged termination, which as per the reference took place in the month of January, 1999. No mandays chart of the petitioner is there on the file to establish that he had worked continuously for a period of 240 days in a block of twelve calendar months prior to the date of his alleged termination, as envisaged under Section 25-B of the Act. The petitioner while under cross-examination categorically admitted that he cannot produce any document evidencing that he had continuously worked for 240 days in a year. Then, it is evident from the working details of the petitioner, Ex.RW1/B that he had only worked for a total of 129 days in the years 1998 and 1999. It has been laid down by the Hon’ble Supreme Court in case titled as Mohd. Ali vs. State of Himachal Pradesh and Ors., (2019) 1 SCC (L&S) 138 that when the workman had not worked for the required 240 days of working in the period of twelve calendar months preceding the date of dismissal, he is not entitled to take the benefits of the provisions of Section 25-F of the Act. Therefore, the provisions of Section 25-F of the Act are not attracted in this case.

20. Ex.RW1/C is a seniority list of beldar category workmen. It is an admitted document on the part of the respondents. Shri Vinod Kumar Sharma (RW1) categorically admitted in his cross-examination that the department has placed the seniority list of workers on the file as Ex.RW1/C. This seniority list of beldar category gains significance. The name of Shri Ramesh Kumar figures at serial No. 81 of the list. He as per this list was appointed by the respondents in B&R Sub Division Baldwara in September, 1998. The names of workers figuring at serial Nos. 68 to 80 and 82 to 107 were also appointed by the respondents in B&R Division Sarkaghat and Baldwara in between February to December, 1998 respectively. This list gives the year-wise working details of the above mentioned workers upto the year 2007. The date of initial appointment of the petitioner as per the Ex.RW1/B is January, 1998. This indicates that persons junior to the petitioner had been serving the respondents/department even after the disengagement of the petitioner, which as per the reference took place in January, 1999. To my mind, the latter have failed to adhere to the principle of ‘last come first go’. Retaining the juniors at the cost of the senior is nothing but unfair labour practice.

21. Not only this, Shri Vinod Kumar Sharma (RW1) in his cross-examination admitted that S/Shri Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surender Kumar,

Jagdish Chand, Nand Lal and Balwant Singh etc., who all were engaged by the department after the disengagement of the petitioner, are still continuously working with the department and have also been regularized. It, thus, shows that new/fresh hands were engaged by the respondents. There is nothing on the file to establish that at the time of engaging new/fresh hands or retaining the persons junior to the petitioner, any opportunity of re-employment was afforded to him (petitioner).

22. Such being the situation, I have no hesitation to conclude that the respondents have contravened the provisions of Sections 25-G and 25-H of the Act. The termination of the services of the petitioner is illegal and unjustified.

23. Faced with the situation, the learned Deputy District Attorney for the respondents contended that there being an inordinate delay in the steps taken by the petitioner for the redressal of his grievance, his claim suffers from the vice of delay and laches, which disentitles him to the relief(s) he has prayed for. This contention, to my thinking, appears to be ill conceived. The question of delay and laches was considered by the Hon'ble Supreme Court in case titled as Ajayab Singh vs. Sirhind Co-operative Marketing-cum-Processing Society Limited and Another, (1999) 6 SCC 82, wherein it was *inter-alia* held:

“The provisions of Article 137 of Limitation Act, 1963 are not applicable to the proceeding under the ID Act. The relief under the ID Act cannot be denied merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence. No reference to the Labour Court can be generally questioned on the ground of delay alone”.

24. In view of the aforesaid binding precedent, it cannot be said that the petition is hit by the vice of delay and laches. Of course, the delay in raising the industrial dispute by a workman can be taken into account by the Court while granting the relief(s) claimed. The observations made by our own Hon'ble High Court in case titled as Liaq Ram vs. State of H.P. and ors., 2012 (2) Him. L.R.(FB) 580 (majority view) will also be advantageous on this aspect of the matter.

25. In case titled as Assistant Engineer Rajasthan Development Corporation and another vs. Geetam Singh reported in 2013 (136) FLR 893 (SC), it was held by the Hon'ble Supreme Court that before exercising its judicial discretion, the Labour Court has to keep in view all relevant factors including the mode and manner of appointment, nature of employment, length of service, the ground on which termination has been set aside and the delay in raising industrial dispute before grant of relief in an industrial dispute. It was also observed that the workman had worked for 286 days and had raised industrial dispute in the year 1992, whereas his services had been terminated in the year 1986 and had raised industrial dispute after six years. It was held that though the compensation awarded by the Single Judge of the Hon'ble High Court was too low and liable to be enhanced by the Division Bench, but surely reinstatement of the workman in the facts and circumstances was not the appropriate relief and thus a lump-sum of Rs.1 lakh along-with interest @ 9% per annum had been awarded. Recently, in case titled as Deputy Executive Engineer vs. Kuberbhai Kanjibhai 2019 (160) FLR 651, by relying upon the cases of Bharat Sanchar Nigam Limited vs. Bhurumal (2014) 7 SCC 177 and District Development Officer & another vs. Satish Kantilal Amerelia 2018 (156) FLR 266 (SC), it has been held by the Hon'ble Supreme Court that where the workman had

worked as a daily wager or muster roll employee hardly for a few years and where the dispute had been raised by him almost after 15 years of his alleged termination, he was held entitled only for lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and other consequential benefits. Similarly, in case titled as State of Uttarakhand & Anr. vs. Raj Kumar, 2019 (160) FLR 791, the Hon'ble Supreme Court has held that where a daily wager has worked for about a year and a dispute was raised by him after 25 years of the alleged termination, he had no right to claim regularization and was only entitled to lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and consequential benefits. In the case on hand before this Court, the factors which have weighed are that the petitioner in all remained engaged for about five months and had actually worked for 129 days as per the details of the working of the petitioner on record and that his services were disengaged in January, 1999, who had worked as non-skilled worker and had raised the industrial dispute by the issuance of demand notice after about more than sixteen years *i.e.* demand notice was given on 10-6-2015. Although, the petitioner has claimed that from time to time he had approached the respondents for being re-engaged, but in this regard there is no document placed on the file. Taking into consideration the factors mentioned above and the precedents laid down by the Hon'ble Supreme Court in the aforementioned cases, the petitioner is not entitled for reinstatement or for back wages, but only for a lump sum compensation.

26. In view of the discussion and findings arrived at by me above, a lump-sum compensation of ₹25,000/- (Rupees twenty five thousand only) would be an appropriate relief to which the petitioner is entitled to in the facts and circumstances of the given case. It is further made clear that the amount of compensation shall be paid within four months from the date of receipt of Award, failing which the petitioner would be entitled to interest @ 6% per annum from date of Award till its realization. Issues No. 1 and 2 are answered and decided accordingly, while issue No. 4 is decided against the respondents and in favour of the petitioner.

Issue No.3 :

27. It has not been shown by the respondents as to how the present petition/statement of claim is not maintainable. Moreover, this issue was not pressed for by the learned Deputy District Attorney appearing for the respondents at the time of arguments. Otherwise also, from the pleadings and evidence on record, it cannot be said that the petition/statement of claim is not maintainable. Hence, this issue is decided against the respondents and in favour of the petitioner.

Relief :

28. In the light of what has been discussed hereinabove while recording the findings on the issues supra, the respondents are hereby directed to pay a compensation of ₹25,000/- (Rupees twenty five thousand only) to the petitioner in lieu of the reinstatement, back wages, seniority and past service benefits. Amount of compensation so awarded shall be paid by the respondents to the petitioner within four months from the date of receipt of Award failing which the respondents shall be liable to pay interest @ 6% per annum on the said amount from the date of award till realization/deposit of the amount. In the peculiar facts and circumstances of the case, the parties are left to bear their own costs. The reference is answered in the aforesaid terms. A copy of this Award be sent to the appropriate Government for publication in the official gazette and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 3rd day of May, 2021.

Sd/-
(YOGESH JASWAL),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Kangra at Dharamshala, H.P.

**IN THE COURT OF SHRI YOGESH JASWAL, PRESIDING JUDGE, LABOUR
COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (H.P.)**

Ref. No. : 656/2016

Date of Institution : 12-9-2016

Date of Decision : 03-5-2021

Shri Jagdish Chand s/o Shri Birbal, r/o Village Karadwhan, P.O. Chowk, Tehsil
Sarkaghat, District Mandi, H.P. . *Petitioner.*

Versus

1. The Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P.
2. The Executive Engineer, B&R Division, H.P.P.W.D. Sarkaghat, District
Mandi, H.P. . *Respondents.*

Reference under Section 10 (1) of the Industrial Disputes Act, 1947

For the Petitioner : Sh. S.S. Sippy, AR

For the Respondent(s) : Sh. Anil Sharma, Dy. D.A.

AWARD

The below given reference has been received from the appropriate Government for adjudication:

“Whether alleged termination of the services of Shri Jagdish Chand s/o Shri Birbal, r/o Village Karadwhan, P.O. Chowk, Tehsil Sarkaghat, District Mandi, H.P. during November, 1999 by (i) the Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P., (ii) the Executive Engineer, B&R Division, H.P.P.W.D. Sarkaghat, District Mandi, H.P. who has worked as beldar on daily wages basis only for 51, 169 and 11 days during the years 1997, 1998 and 1999 respectively and has raised his industrial dispute vide demand notice dated 10-06-2015 after delay of more than 15 years, without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, keeping in view of working period stated above and delay of more than 15 years in raising the industrial dispute, what amount of back wages, seniority, past

service benefits and compensation the above ex-worker is entitled to from the above employers/ management?"

2. In pursuance to the reference the petitioner has averred in the statement of claim that he had worked with respondent No. 2 in B&R Sub Division, Baldwara as a daily waged beldar in the years 1997-1999. His services were orally dispensed with by the respondents on the pretext of lack of funds/budget. However, he was assured that he would be called to work, as and when funds/budget were available. But, he was never called again thereafter. He had approached the respondents time and again for his re-engagement, but without success. No notice had been served upon him nor any retrenchment compensation had been paid. Persons junior to him and also new workers, namely, S/Sh. Ramesh Chand, Mehar Singh, Manohar Lal, Karam Singh, Jiwan Lal, Baldev Chand, Duni Chand, Sunil Kumar, Roop Lal, Mast Ram, Kamlesh Kumar, Jagdish Chand, Nand Lal, Ghanshyam, Milap Singh, Balwant Singh, Padam Nath and Tulsi etc. were engaged. In addition to it 411 other junior workers were retained. Fictional breaks were given to him so that he could not complete 240 days in a year. The action of the respondent is stated to be in violation of the provisions of Sections 25-B, 25-F, 25-G and 25-H of the Industrial Disputes Act, 1947 (hereinafter referred to as 'the Act' for short). He is unemployed till date. Hence, the petition for his re-engagement with all consequential benefits.

3. On notice, the respondents appeared. They filed a joint reply taking preliminary objections regarding lack of maintainability and that the petition was bad on account of delay and laches. The contents of the petition were denied on merits. However, it is asserted that the petitioner had worked intermittently as a daily waged beldar with respondent No. 2 *w.e.f.* November, 1997 to November, 1999. He had only worked for 51 days in the year 1997, 169 days in the year 1998 and for 11 days in the year 1999. The services of the petitioner had never been terminated by the respondents. He himself had left the work of his own sweet will. It is denied that the petitioner had made oral as well as written requests to the respondents for re-engagement. He had only raised the demand notice in the year 2015, which was responded to by the respondents. Only those workers have been regularized by the department who had completed the requisite criteria for regularization as per the Government policy. It is denied that 411 junior workers had been regularized by the respondents. No fictional breaks had ever been given to the petitioner. He had never completed 240 days in any calendar year. So, there was no need to serve any notice upon him under Section 25-F of the Act. Since the petitioner had left the job of his own free volition, there is no violation of the provisions of Sections 25-G and 25-H of the Act by the respondents. The petitioner is gainfully employed, being an agriculturist. Hence, it is prayed that the claim petition be dismissed.

4. While filing the rejoinder, the petitioner controverted the averments made in the reply and reiterated those in the statement of claim.

5. Out of the pleadings of the parties, the following issues were settled for determination and adjudication by this Court *vide* order dated 26-6-2018:

1. Whether termination of services of the petitioner by the respondents during Nov., 1999 is/was legal and justified as alleged? . . . *OPP.*
2. If issue No. 1 is proved in affirmative, to what service benefits the petitioner is entitled to? . . . *OPP.*

3. Whether the claim petition is not maintainable in the present form as alleged? . . . OPR.

4. Whether the claim petition is bad on account of delay and laches on the part of petitioner as alleged? . . . OPR.

Relief.

6. Thereafter, the parties to the list were directed to adduce evidence in support of the issues so framed.

7. Arguments of the learned vice counsel for the petitioner and the learned Deputy District Attorney for the respondents heard and records gone through.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1 : Decided accordingly

Issue No. 2 : Lump sum compensation of ₹35,000/-

Issue No. 3 : No

Issue No. 4 : No

Relief. : Petition is partly allowed awarding lump sum compensation of ₹35,000/- per operative part of the award.

REASONS FOR FINDINGS

Issues No.1, 2 and 4 :

9. All these issues are intrinsically connected with each other and required common appreciation of evidence, hence are taken together for the purpose of determination and adjudication.

10. The petitioner, namely, Shri Jagdish Chand examined himself as PW1 and filed his affidavit in evidence, which is exhibited as Ex. PW1/A. In his affidavit, he reiterated the contents of his statement of claim.

In the cross-examination, he admitted that he had only worked for 51 days in the year 1997, 169 days in the year 1998 and for 11 days in the year 1999. He also admitted that he had not worked in the department in the months of October, 1997, March & April, 1998, June to August, 1998 and from January to September, 1999 & December, 1999. He denied that he had never been disengaged by the department. He also denied that he himself had left the job of his own sweet will. He had given in writing to the department in the years 1999, 2001, 2004, 2006, 2007, 2009, 2011 and 2013 to re-engage him. He was categorical that he cannot produce any document in this regard. He also admitted that he had raised the demand notice in the year 2015. He denied that after the year 1998 he had left the job of his own free volition. He denied that he had not worked for 240 days in any year. However, he admitted that he cannot

produce any document to show that he had worked continuously for 240 days in a year. He owns land, which he cultivates. He denied that he was making a phoney statement.

11. Conversely, Shri Vinod Kumar Sharma (respondent No. 2) testified as RW1. In his affidavit Ex. RW1/A filed as per Order 18 Rule 4 of the Code of Civil Procedure, he corroborated on oath the contents of the reply filed by the respondents.

In the cross-examination, he admitted that the petitioner had worked as a daily wager from the year 1997 upto the year 1999. Volunteered that, he had worked for 51 days in the year 1997, 169 days in the year 1998 and for 11 days in the year 1999. He specifically denied that the petitioner had completed 240 days in a calendar year. He also denied that fictional breaks were given to the petitioner by the department so that he could not complete 240 days. Further he denied that the petitioner had been disengaged by the department after November, 1999. He clearly denied that thereafter the petitioner orally as well as in writing had requested the department to re-engage him. He admitted that the department has prepared the seniority list of the workers, which is Ex.RW1/C on the file. He also admitted that as per Ex.RW1/C workers, namely, S/Sh. Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surinder Kumar, Jagdish Chand, Nand Lal and Balwant Singh had been engaged by the department after the disengagement of the petitioner and that they are still working continuously with the department and have also been regularized. Further, he admitted that Ex.RW1/B had been issued by the department.

12. Ex.RW1/B is the copy of details of working of the petitioner in B&R Sub Division, HPPWD Baldwara.

13. Ex.RW1/C is the copy of detail of working days of Class-IV daily waged workers who have completed eight years and more service as on 31-3-2008 screened by the Screening Committee.

14. It is an admitted fact that the services of the petitioner were engaged as a daily waged beldar by the respondents and that he had worked with respondent No. 2. The petitioner as per his evidence claimed that he had worked continuously from the year 1997 upto the year, 1999. However, the respondents have taken the stand that the petitioner had worked intermittently with respondent No. 2 for 51 days in the year 1997, 169 days in the year 1998 and for 11 days in the year 1999. The details of working of the petitioner has been produced on record by the respondents as Ex. RW1/B. It appears to have not been disputed by the petitioner, as it was merely suggested by the petitioner to respondent No. 2 that Ex.RW1/B had been issued by the department. He admitted the suggestion. It was nowhere suggested to respondent No.2 that the working details above-mentioned was not factually correct. As per the working details Ex.RW1/B, the petitioner had only worked for 51 days in the year 1997 *i.e.* 25 days in November, 1997 & 26 days in December, 1997, 169 days in the year 1998 *i.e.* 24 days in the month of January, 28 days in February, 29 days in May, 26 days in September, 27 days in October, 17 days in November & 18 days in December, 1998 and for 11 days in the month of November, 1999. The claimant/petitioner has not placed or exhibited on record any document to show that he had continuously worked from the year 1997 upto the year 1999, as claimed.

15. The version of the petitioner is that his services were wrongly and illegally terminated by the respondents in the month of November, 1999. While denying the

said fact, the respondents have pleaded that the petitioner, who had worked intermittently, had left the job of his own accord and free volition.

16. It is well known that abandonment has to be proved by the employer like any other fact. Therefore, the burden of proving of abandonment is upon the respondent. It has been laid down by our own Hon'ble High Court in case titled as Narain Singh vs. The State of Himachal Pradesh & Ors., 2016 (3) Him L.R. 1875 that voluntarily abandonment of work by a workman is required to be established by way of cogent and reliable evidence by the employer. Similarly, in case titled as State of Himachal Pradesh & another vs. Shri Partap Singh, 2017 (1) Him L.R. 286, it has been held by our own Hon'ble High Court that abandonment is not to be lightly presumed, but it has to be unequivocally proved by the employer. Simply because a workman fails to report for duty, it cannot be presumed that he has left/abandoned the job. Mere statement of Shri Vinod Kumar Sharma, (RW1) alleging that the workman had abandoned the services is entirely insufficient to discharge the said onus. Admittedly, no disciplinary proceedings were initiated against the petitioner by the respondents for his alleged willful absence from duty. Absence from duty is a serious misconduct and the principle of natural justice did require that some sort of a fact finding inquiry was got conducted by the respondents. In the present case as it emerges from the evidence on record, so was not done by the respondents. Then, '*animus*' to abandon, it is well settled, must necessarily be shown to exist, before a case of abandonment can be said to have been made out. No evidence of any such '*animus*' on the part of the petitioner is forthcoming in the present case. Thus, the plea of abandonment put forth by the respondents/employer is not established.

17. Now the question: Whether in terminating the services of the petitioner, the respondents are proved to have violated the provisions of Section 25-F of the Act. The answer, to my thinking, is in the negative in view of the material on record.

18. Section 25-B of the Act defines "continuous service". In terms of Sub Section (2) of Section 25-B that if a workman during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer 240 days within a period of one year, he will be deemed to be in continuous service. The burden of proof is on the petitioner to show that he had worked for 240 days in the preceding twelve calendar months prior to his alleged retrenchment. In R.M. Yellattv vs. Assistant Executive Engineer, (2006) 1 SCC 106, it has been laid by the Hon'ble Supreme Court that the burden of proof is on the claimant to show that he had worked for 240 days in a given year.

19. Applying the principles laid down in the above case by the Hon'ble Supreme Court, it was required of the petitioner to establish on record that he had worked continuously for a period 240 days in a block of twelve calendar months anterior to the date of his alleged termination, which as per the reference took place in the month of November, 1999. No mandays chart of the petitioner is there on the file to establish that he had worked continuously for a period of 240 days in a block of twelve calendar months prior to the date of his alleged termination, as envisaged under Section 25-B of the Act. The petitioner while under cross-examination categorically admitted that he cannot produce any document evidencing that he had continuously worked for 240 days in a year. Then, it is evident from the working details of the petitioner, Ex.RW1/B that he had only worked for a total of 231 days from the month of November, 1997 upto November, 1999. It has been laid down by the Hon'ble Supreme Court in case titled as Mohd. Ali vs. State of Himachal Pradesh and Ors., (2019) 1

SCC (L&S) 138 that when the workman had not worked for the required 240 days of working in the period of twelve calendar months preceding the date of dismissal, he is not entitled to take the benefits of the provisions of Section 25-F of the Act. Therefore, the provisions of Section 25-F of the Act are not attracted in this case.

20. Ex.RW1/C is a seniority list of beldar category workmen. It is an admitted document on the part of the respondents. Shri Vinod Kumar Sharma (RW1) categorically admitted in his cross-examination that the department has placed the seniority list of workers on the file as Ex.RW1/C. This seniority list of beldar category gains significance. The name of Shri Puran Chand figures at serial No. 67 of the list. He as per this list was appointed by the respondents in B&R Sub Division Baldwara in January, 1998. The names of workers figuring at serial Nos. 65, 66 and 68 to 140 and 272 to 363 were also appointed by the respondents in B&R Divisions Sarkaghat and Baldwara in between January, 1998 to October, 1999. This list gives the year-wise working details of the above mentioned workers upto the year 2007. The date of initial appointment of the petitioner as per the Ex.RW1/B is November, 1997. This indicates that persons junior to the petitioner had been serving the respondents/department even after the disengagement of the petitioner, which as per the reference took place in November, 1999. To my mind, the latter have failed to adhere to the principle of 'last come first go'. Retaining the juniors at the cost of the senior is nothing but unfair labour practice.

21. No only this, Shri Vinod Kumar Sharma (RW1) in his cross-examination admitted that S/Shri Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surender Kumar, Jagdish Chand, Nand Lal and Balwant Singh etc., who all were engaged by the department after the disengagement of the petitioner, are still continuously working with the department and have also been regularized. It, thus, shows that new/fresh hands were engaged by the respondents. There is nothing on the file to establish that at the time of engaging new/fresh hands or retaining the persons junior to the petitioner, any opportunity of re-employment was afforded to him (petitioner).

22. Such being the situation, I have no hesitation to conclude that the respondents have contravened the provisions of Sections 25-G and 25-H of the Act. The termination of the services of the petitioner is illegal and unjustified.

23. Faced with the situation, the learned Deputy District Attorney for the respondents contended that there being an inordinate delay in the steps taken by the petitioner for the redressal of his grievance, his claim suffers from the vice of delay and laches, which disentitles him to the relief(s) he has prayed for. This contention, to my thinking, appears to be ill conceived. The question of delay and laches was considered by the Hon'ble Supreme Court in case titled as Ajayab Singh vs. Sirhind Co-operative Marketing-cum-Processing Society Limited and Another, (1999) 6 SCC 82, wherein it was *inter-alia* held:

"The provisions of Article 137 of Limitation Act, 1963 are not applicable to the proceeding under the ID Act. The relief under the ID Act cannot be denied merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence. No reference to the Labour Court can be generally questioned on the ground of delay alone".

24. In view of the aforesaid binding precedent, it cannot be said that the petition is hit by the vice of delay and laches. Of course, the delay in raising the

industrial dispute by a workman can be taken into account by the Court while granting the relief(s) claimed. The observations made by our own Hon'ble High Court in case titled as Liaq Ram vs. State of H.P. and ors., 2012 (2) Him. L.R. (FB) 580 (majority view) will also be advantageous on this aspect of the matter.

25. In case titled as Assistant Engineer Rajasthan Development Corporation and another vs. Geetam Singh reported in 2013 (136) FLR 893 (SC), it was held by the Hon'ble Supreme Court that before exercising its judicial discretion, the Labour Court has to keep in view all relevant factors including the mode and manner of appointment, nature of employment, length of service, the ground on which termination has been set aside and the delay in raising industrial dispute before grant of relief in an industrial dispute. It was also observed that the workman had worked for 286 days and had raised industrial dispute in the year 1992, whereas his services had been terminated in the year 1986 and had raised industrial dispute after six years. It was held that though the compensation awarded by the Single Judge of the Hon'ble High Court was too low and liable to be enhanced by the Division Bench, but surely reinstatement of the workman in the facts and circumstances was not the appropriate relief and thus a lump-sum of Rs.1 lakh along-with interest @ 9% per annum had been awarded. Recently, in case titled as Deputy Executive Engineer vs. Kuberbhai Kanjibhai 2019 (160) FLR 651, by relying upon the cases of Bharat Sanchar Nigam Limited vs. Bhurumal (2014) 7 SCC 177 and District Development Officer & another vs. Satish Kantilal Amerelia 2018 (156) FLR 266 (SC), it has been held by the Hon'ble Supreme Court that where the workman had worked as a daily wager or muster roll employee hardly for a few years and where the dispute had been raised by him almost after 15 years of his alleged termination, he was held entitled only for lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and other consequential benefits. Similarly, in case titled as State of Uttarakhand & Anr. vs. Raj Kumar, 2019 (160) FLR 791, the Hon'ble Supreme Court has held that where a daily wager has worked for about a year and a dispute was raised by him after 25 years of the alleged termination, he had no right to claim regularization and was only entitled to lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and consequential benefits. In the case on hand before this Court, the factors which have weighed are that the petitioner in all remained engaged for about ten months and had actually worked for 231 days as per the details of the working of the petitioner on record and that his services were disengaged in November, 1999, who had worked as non- skilled worker and had raised the industrial dispute by the issuance of demand notice after about more than fifteen years i.e. demand notice was given on 10-6-2015. Although, the petitioner has claimed that from time to time he had approached the respondents for being re-engaged, but in this regard there is no document placed on the file. Taking into consideration the factors mentioned above and the precedents laid down by the Hon'ble Supreme Court in the aforementioned cases, the petitioner is not entitled for reinstatement or for back wages, but only for a lump sum compensation.

26. In view of the discussion and findings arrived at by me above, a lump-sum compensation of ₹35,000/- (Rupees thirty five thousand only) would be an appropriate relief to which the petitioner is entitled to in the facts and circumstances of the given case. It is further made clear that the amount of compensation shall be paid within four months from the date of receipt of Award, failing which the petitioner would be entitled to interest @ 6% per annum from date of Award till its realization. Issues No. 1 and 2 are answered and decided accordingly, while issue No. 4 is decided against the respondents and in favour of the petitioner.

27. It has not been shown by the respondents as to how the present petition/ statement of claim is not maintainable. Moreover, this issue was not pressed for by the learned Deputy District Attorney appearing for the respondents at the time of arguments. Otherwise also, from the pleadings and evidence on record, it cannot be said that the petition/statement of claim is not maintainable. Hence, this issue is decided against the respondents and in favour of the petitioner.

Relief:

28. In the light of what has been discussed hereinabove while recording the findings on the issues *supra*, the respondents are hereby directed to pay a compensation of ₹35,000/- (Rupees thirty five thousand only) to the petitioner in lieu of the reinstatement, back wages, seniority and past service benefits. Amount of compensation so awarded shall be paid by the respondents to the petitioner within four months from the date of receipt of Award failing which the respondents shall be liable to pay interest @ 6% per annum on the said amount from the date of award till realization/deposit of the amount. In the peculiar facts and circumstances of the case, the parties are left to bear their own costs. The reference is answered in the aforesaid terms. A copy of this Award be sent to the appropriate Government for publication in the official gazette and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 3rd day of May, 2021.

Sd/-
(YOGESH JASWAL),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Kangra at Dharamshala, H.P.

IN THE COURT OF SHRI YOGESH JASWAL, PRESIDING JUDGE, LABOUR COURT-CUM-INDUSTRIAL TRIBUNAL, KANGRA AT DHARAMSHALA (H.P.)

Ref. No. : 655/2016

Date of Institution : 12-9-2016

Date of Decision : 03-5-2021

Shri Daulat Ram s/o Shri Ganga Ram, r/o Village Sarnota, P.O. Balda, Tehsil Sarkaghat, District Mandi, H.P. . *Petitioner.*

Versus

1. The Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P.
2. The Executive Engineer, B&R Division, H.P.P.W.D. Sarkaghat, District Mandi, H.P. . *Respondents.*

Reference under Section 10 (1) of the Industrial Disputes Act, 1947

For the Petitioner : Sh. S.S. Sippy, AR

For the Respondent(s) : Sh. Anil Sharma, Dy. D.A.

AWARD

The below given reference has been received from the appropriate Government for adjudication:

“Whether alleged termination of the services of Shri Daulat Ram s/o Shri Ganga Ram, r/o Village Sarnota, P.O. Balda, Tehsil Sarkaghat, District Mandi, H.P. during February, 1996 by (i) the Superintending Engineer, H.P.P.W.D. 1st Circle, Mandi, District Mandi, H.P. who has worked as beldar on daily wages basis only for 69 and 52 days during the years 1995 and 1996 respectively and has raised his industrial dispute *vide* demand notice dated 10-06-2015 after delay of more than 19 years, without complying with the provisions of the Industrial Disputes Act, 1947 is legal and justified? If not, keeping in view of working period stated above and delay of more than 19 years in raising the industrial dispute, what amount of back wages, seniority, past service benefits and compensation the above ex-worker is entitled to from the above employers/management?”

2. In pursuance to the reference the petitioner has averred in the statement of claim that he had worked with respondent No. 2 in B&R Sub Division, Baldwara as a daily waged beldar in the years 1997-1998. His services were orally dispensed with by the respondents on the pretext of lack of funds/budget. However, he was assured that he would be called to work, as and when funds/budget were available. But, he was never called again thereafter. He had approached the respondents time and again for his re-engagement, but without success. No notice had been served upon him nor any retrenchment compensation had been paid. Persons junior to him and also new workers, namely, S/Sh. Ramesh Chand, Mehar Singh, Manohar Lal, Karam Singh, Jiwan Lal, Baldev Chand, Duni Chand, Sunil Kumar, Roop Lal, Mast Ram, Kamlesh Kumar, Jagdish Chand, Nand Lal, Ghanshyam, Milap Singh, Balwant Singh, Padam Nath and Tulsi etc. were engaged. In addition to it 411 other junior workers were retained. Fictional breaks were given to him so that he could not complete 240 days in a year. The action of the respondent is stated to be in violation of the provisions of Sections 25-B, 25-F, 25-G and 25-H of the Industrial Disputes Act, 1947 (hereinafter referred to as ‘the Act’ for short). He is unemployed till date. Hence, the petition for his re-engagement with all consequential benefits.

3. On notice, the respondents appeared. They filed a joint reply taking preliminary objections regarding lack of maintainability and that the petition was bad on account of delay and laches. The contents of the petition were denied on merits. However, it is asserted that the petitioner had worked intermittently as a daily waged beldar with respondent No. 2 *w.e.f.* September, 1995 to February, 1996. He had only worked for 69 days in the year 1995 and for 52 days in the year 1996. The services of the petitioner had never been terminated by the respondents. He himself had left the work of his own sweet will. It is denied that the petitioner had made oral as well as written requests to the respondents for re-engagement. He had only raised the demand notice in the year 2015, which was responded to by the respondents. Only those

workers have been regularized by the department who had completed the requisite criteria for regularization as per the Government policy. It is denied that 411 junior workers had been regularized by the respondents. No fictional breaks had ever been given to the petitioner. He had never completed 240 days in any calendar year. So, there was no need to serve any notice upon him under Section 25-F of the Act. Since the petitioner had left the job of his own free volition, there is no violation of the provisions of Sections 25-G and 25-H of the Act by the respondents. The petitioner is gainfully employed, being an agriculturist. Hence, it is prayed that the claim petition be dismissed.

4. While filing the rejoinder, the petitioner controverted the averments made in the reply and reiterated those in the statement of claim.

5. Out of the pleadings of the parties, the following issues were settled for determination and adjudication by this Court *vide* order dated 26-6-2018:

1. Whether termination of services of the petitioner by the respondents during February, 1996 is/was legal and justified as alleged? ..*OPP*.
2. If issue No. 1 is proved in affirmative, to what service benefits the petitioner is entitled to? ..*OPP*.
3. Whether the claim petition is not maintainable in the present form as alleged? ..*OPR*.
4. Whether the claim petition is bad on account of delay and laches on the part of petitioner as alleged? ..*OPR*.

Relief.

6. Thereafter, the parties to the list were directed to adduce evidence in support of the issues so framed.

7. Arguments of the learned vice counsel for the petitioner and the learned Deputy District Attorney for the respondents heard and records gone through.

8. For the reasons to be recorded hereinafter while discussing the issues for determination, my findings thereon are as under:

Issue No. 1 : Decided accordingly

Issue No. 2 : Lump sum compensation of ₹ 25,000/-

Issue No. 3 : No

Issue No. 4 : No

Relief. : Petition is partly allowed awarding lump sum compensation of ₹ 25,000/- per operative part of the award.

REASONS FOR FINDINGS*Issues No.1, 2 and 4:*

9. All these issues are intrinsically connected with each other and required common appreciation of evidence, hence are taken together for the purpose of determination and adjudication.

10. The petitioner, namely, Shri Daulat Ram examined himself as PW1 and filed his affidavit in evidence, which is exhibited as Ex. PW1/A. In his affidavit, he reiterated the contents of his statement of claim.

In the cross-examination, he admitted that he had only worked for 69 days in the year 1995 and for 52 days in the year 1996. He also admitted that he had not worked in the department in the years 1997 and 1998. He denied that he had never been disengaged by the department. He also denied that he himself had left the job of his own sweet will. He had given in writing to the department in the years 1999, 2001, 2004, 2006, 2007, 2009, 2011 and 2013 to re-engage him. He was categorical that he cannot produce any document in this regard. He also admitted that he had raised the demand notice in the year 2015. He denied that after the year 1998 he had left the job of his own free volition. He denied that he had not worked for 240 days in any year. However, he admitted that he cannot produce any document to show that he had worked continuously for 240 days in a year. He owns land, which he cultivates. He denied that he was making a phoney statement.

11. Conversely, Shri Vinod Kumar Sharma (respondent No.2) testified as RW1. In his affidavit Ex. RW1/A filed as per Order 18 Rule 4 of the Code of Civil Procedure, he corroborated on oath the contents of the reply filed by the respondents.

In the cross-examination, he denied that the petitioner had worked as a daily wager in the years 1997 to 1998. Volunteered that, he had only worked for 69 days in the year 1995 and for 52 days in the year 1996. He specifically denied that the petitioner had completed 240 days in a calendar year. He also denied that fictional breaks were given to the petitioner by the department so that he could not complete 240 days. Further he denied that the petitioner had been disengaged by the department after November, 1998. He clearly denied that thereafter the petitioner orally as well as in writing had requested the department to re-engage him. He admitted that the department has prepared the seniority list of the workers, which is Ex.RW1/C on the file. He also admitted that as per Ex.RW1/C workers, namely, S/Sh. Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surinder Kumar, Jagdish Chand, Nand Lal and Balwant Singh had been engaged by the department after the disengagement of the petitioner and that they are still working continuously with the department and have also been regularized. Further, he admitted that Ex.RW1/B had been issued by the department.

12. Ex.RW1/B is the copy of details of working of the petitioner in B&R Sub Division, HPPWD Baldwara.

13. Ex.RW1/C is the copy of detail of working days of Class-IV daily waged workers who have completed eight years and more service as on 31-3-2008 screened by the Screening Committee.

14. It is an admitted fact that the services of the petitioner were engaged as a daily waged beldar by the respondents and that he had worked with respondent No. 2. The petitioner as per his evidence claimed that he had worked continuously from the year 1997 upto the year, 1998. However, the respondents have taken the stand that the petitioner had worked intermittently with respondent no.2 for 69 days in the year 1995 and for 52 days in the year 1996. The details of working of the petitioner has been produced on record by the respondents as Ex. RW1/B. It appears to have not been disputed by the petitioner, as it was merely suggested by the petitioner to respondent No. 2 that Ex.RW1/B had been issued by the department. He admitted the suggestion. It was nowhere suggested to respondent No. 2 that the working details above-mentioned was not factually correct. As per the working details Ex.RW1/B, the petitioner had only worked for 69 days in the year 1995 i.e. 24 days in September, 1995, 26 days in October, 1995 and 19 days in November, 1995 and for 52 days in the year 1998 i.e. 25 days in the month of January, 1996 and 27 days in the month of February, 1996. The petitioner in his cross-examination also clearly admitted that he had worked in the department from September, 1995 to February, 1996. He was also categorical that he had worked for 69 days in the year 1995 and for 52 days in the year 1996. He also clearly admitted the suggestion put to him by the respondents that he had not worked in the department in the years 1997 and 1998.

15. The version of the petitioner is that his services were wrongly and illegally terminated by the respondents. As per the reference such termination of the petitioner took place in the month of February, 1996. While denying the said fact, the respondents have pleaded that the petitioner, who had worked intermittently, had left the job of his own accord and free volition.

16. It is well known that abandonment has to be proved by the employer like any other fact. Therefore, the burden of proving of abandonment is upon the respondent. It has been laid down by our own Hon'ble High Court in case titled as Narain Singh vs. The State of Himachal Pradesh & Ors., 2016 (3) Him L.R. 1875 that voluntarily abandonment of work by a workman is required to be established by way of cogent and reliable evidence by the employer. Similarly, in case titled as State of Himachal Pradesh & another vs. Shri Partap Singh, 2017 (1) Him L.R. 286, it has been held by our own Hon'ble High Court that abandonment is not to be lightly presumed, but it has to be unequivocally proved by the employer. Simply because a workman fails to report for duty, it cannot be presumed that he has left/abandoned the job. Mere statement of Shri Vinod Kumar Sharma, (RW1) alleging that the workman had abandoned the services is entirely insufficient to discharge the said onus. Admittedly, no disciplinary proceedings were initiated against the petitioner by the respondents for his alleged willful absence from duty. Absence from duty is a serious misconduct and the principle of natural justice did require that some sort of a fact finding inquiry was got conducted by the respondents. In the present case as it emerges from the evidence on record, so was not done by the respondents. Then, '*animus*' to abandon, it is well settled, must necessarily be shown to exist, before a case of abandonment can be said to have been made out. No evidence of any such '*animus*' on the part of the petitioner is forthcoming in the present case. Thus, the plea of abandonment put forth by the respondents/employer is not established.

17. Now the question: Whether in terminating the services of the petitioner, the respondents are proved to have violated the provisions of Section 25-F of the Act. The answer, to my thinking, is in the negative in view of the material on record.

18. Section 25-B of the Act defines “continuous service”. In terms of Sub Section (2) of Section 25-B that if a workman during a period of twelve calendar months preceding the date with reference to which calculation is to be made, has actually worked under the employer 240 days within a period of one year, he will be deemed to be in continuous service. The burden of proof is on the petitioner to show that he had worked for 240 days in the preceding twelve calendar months prior to his alleged retrenchment. In R. M. Yellatty vs. Assistant Executive Engineer, (2006) 1 SCC 106, it has been laid by the Hon’ble Supreme Court that the burden of proof is on the claimant to show that he had worked for 240 days in a given year.

19. Applying the principles laid down in the above case by the Hon’ble Supreme Court, it was required of the petitioner to establish on record that he had worked continuously for a period 240 days in a block of twelve calendar months anterior to the date of his alleged termination, which as per the reference took place in the month of February, 1996. No mandays chart of the petitioner is there on the file to establish that he had worked continuously for a period of 240 days in a block of twelve calendar months prior to the date of his alleged termination, as envisaged under Section 25-B of the Act. The petitioner while under cross-examination categorically admitted that he cannot produce any document evidencing that he had continuously worked for 240 days in a year. Then, it is evident from the working details of the petitioner, Ex.RW1/B that he had only worked for a total of 121 days from the month of September, 1995 upto February, 1996. It has been laid down by the Hon’ble Supreme Court in case titled as Mohd. Ali vs. State of Himachal Pradesh and Ors., (2019) 1 SCC (L&S) 138 that when the workman had not worked for the required 240 days of working in the period of twelve calendar months preceding the date of dismissal, he is not entitled to take the benefits of the provisions of Section 25-F of the Act. Therefore, the provisions of Section 25-F of the Act are not attracted in this case.

20. Ex.RW1/C is a seniority list of beldar category workmen. It is an admitted document on the part of the respondents. Shri Vinod Kumar Sharma (RW1) categorically admitted in his cross-examination that the department has placed the seniority list of workers on the file as Ex.RW1/C. This seniority list of beldar category gains significance. The name of Shri Nand Lal figures at serial no. 26 of the list. He as per this list was appointed by the respondents in B&R Sub Division Baldwara in January, 1996. The names of workers figuring at serial Nos. 23 to 25 were also appointed by the respondents in B&R Division Sarkaghat in November and December, 1995 and January, 1996 respectively. This list gives the year-wise working details of the above mentioned workers upto the year 2007. The date of initial appointment of the petitioner as per the Ex.RW1/B is September, 1995. This indicates that persons junior to the petitioner had been serving the respondents/department even after the disengagement of the petitioner, which as per the reference took place in February, 1996. To my mind, the latter have failed to adhere to the principle of ‘last come first go’. Retaining the juniors at the cost of the senior is nothing but unfair labour practice.

21. No only this, Shri Vinod Kumar Sharma (RW1) in his cross-examination admitted that S/Shri Roshan Lal, Besar Singh, Balwant, Sunil Kumar, Surender Kumar, Jagdish Chand, Nand Lal and Balwant Singh etc., who all were engaged by the department after the disengagement of the petitioner, are still continuously working with the department and have also been regularized. It, thus, shows that new/fresh hands were engaged by the respondents. There is nothing on the file to establish that at

the time of engaging new/fresh hands or retaining the persons junior to the petitioner, any opportunity of re-employment was afforded to him (petitioner).

22. Such being the situation, I have no hesitation to conclude that the respondents have contravened the provisions of Sections 25-G and 25-H of the Act. The termination of the services of the petitioner is illegal and unjustified.

23. Faced with the situation, the learned Deputy District Attorney for the respondents contended that there being an inordinate delay in the steps taken by the petitioner for the redressal of his grievance, his claim suffers from the vice of delay and laches, which disentitles him to the relief(s) he has prayed for. This contention, to my thinking, appears to be ill conceived. The question of delay and laches was considered by the Hon'ble Supreme Court in case titled as Ajayab Singh vs. Sirhind Co-operative Marketing-cum-Processing Society Limited and Another, (1999) 6 SCC 82, wherein it was *inter-alia* held:

“The provisions of Article 137 of Limitation Act, 1963 are not applicable to the proceeding under the ID Act. The relief under the ID Act cannot be denied merely on the ground of delay. The plea of delay if raised by the employer is required to be proved as a matter of fact by showing the real prejudice and not as a merely hypothetical defence. No reference to the Labour Court can be generally questioned on the ground of delay alone”.

24. In view of the aforesaid binding precedent, it cannot be said that the petition is hit by the vice of delay and laches. Of course, the delay in raising the industrial dispute by a workman can be taken into account by the Court while granting the relief(s) claimed. The observations made by our own Hon'ble High Court in case titled as Liaq Ram vs. State of H.P. and ors., 2012 (2) Him. L.R.(FB) 580 (majority view) will also be advantageous on this aspect of the matter.

25. In case titled as Assistant Engineer Rajasthan Development Corporation and another vs. Geetam Singh reported in 2013 (136) FLR 893 (SC), it was held by the Hon'ble Supreme Court that before exercising its judicial discretion, the Labour Court has to keep in view all relevant factors including the mode and manner of appointment, nature of employment, length of service, the ground on which termination has been set aside and the delay in raising industrial dispute before grant of relief in an industrial dispute. It was also observed that the workman had worked for 286 days and had raised industrial dispute in the year 1992, whereas his services had been terminated in the year 1986 and had raised industrial dispute after six years. It was held that though the compensation awarded by the Single Judge of the Hon'ble High Court was too low and liable to be enhanced by the Division Bench, but surely reinstatement of the workman in the facts and circumstances was not the appropriate relief and thus a lump-sum of Rs.1 lakh along-with interest @ 9% per annum had been awarded. Recently, in case titled as Deputy Executive Engineer vs. Kuberbhai Kanjibhai 2019 (160) FLR 651, by relying upon the cases of Bharat Sanchar Nigam Limited vs. Bhurumal (2014) 7 SCC 177 and District Development Officer & another vs. Satish Kantilal Amerelia 2018 (156) FLR 266 (SC), it has been held by the Hon'ble Supreme Court that where the workman had worked as a daily wager or muster roll employee hardly for a few years and where the dispute had been raised by him almost after 15 years of his alleged termination, he was held entitled only for lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and other consequential benefits. Similarly, in case titled

as State of Uttarakhand & Anr. vs. Raj Kumar, 2019 (160) FLR 791, the Hon'ble Supreme Court has held that where a daily wager has worked for about a year and a dispute was raised by him after 25 years of the alleged termination, he had no right to claim regularization and was only entitled to lump sum monetary compensation in full and final satisfaction of his claim of reinstatement and consequential benefits. In the case on hand before this Court, the factors which have weighed are that the petitioner in all remained engaged for about five months and had actually worked for 121 days as per the details of the working of the petitioner on record and that his services were disengaged in February, 1996, who had worked as non-skilled worker and had raised the industrial dispute by the issuance of demand notice after about more than nineteen years *i.e.* demand notice was given on 10-6-2015. Although, the petitioner has claimed that from time to time he had approached the respondents for being re-engaged, but in this regard there is no document placed on the file. Taking into consideration the factors mentioned above and the precedents laid down by the Hon'ble Supreme Court in the aforementioned cases, the petitioner is not entitled for reinstatement or for back wages, but only for a lump sum compensation.

26. In view of the discussion and findings arrived at by me above, a lump-sum compensation of ₹25,000/- (Rupees twenty five thousand only) would be an appropriate relief to which the petitioner is entitled to in the facts and circumstances of the given case. It is further made clear that the amount of compensation shall be paid within four months from the date of receipt of Award, failing which the petitioner would be entitled to interest @ 6% per annum from date of Award till its realization. Issues No. 1 and 2 are answered and decided accordingly, while issue no.4 is decided against the respondents and in favour of the petitioner.

Issue No. 3 :

27. It has not been shown by the respondents as to how the present petition/statement of claim is not maintainable. Moreover, this issue was not pressed for by the learned Deputy District Attorney appearing for the respondents at the time of arguments. Otherwise also, from the pleadings and evidence on record, it cannot be said that the petition/statement of claim is not maintainable. Hence, this issue is decided against the respondents and in favour of the petitioner.

Relief :

28. In the light of what has been discussed hereinabove while recording the findings on the issues *supra*, the respondents are hereby directed to pay a compensation of ₹25,000/- (Rupees twenty five thousand only) to the petitioner in lieu of the reinstatement, back wages, seniority and past service benefits. Amount of compensation so awarded shall be paid by the respondents to the petitioner within four months from the date of receipt of Award failing which the respondents shall be liable to pay interest @ 6% per annum on the said amount from the date of award till realization/deposit of the amount. In the peculiar facts and circumstances of the case, the parties are left to bear their own costs. The reference is answered in the aforesaid terms. A copy of this Award be sent to the appropriate Government for publication in the official gazette and the file after due completion be consigned to the Record Room.

Announced in the open Court today this 3rd day of May, 2021.

Sd/-
(YOGESH JASWAL),
Presiding Judge,
Labour Court-cum-Industrial Tribunal,
Kangra at Dharamshala, H.P.

**ब अदालत श्री विजय कुमार, सहायक समाहर्ता द्वितीय श्रेणी, बैजनाथ, जिला कांगड़ा
(हि0 प्र0)**

श्री Shyam Lal s/o Late Sh. Dhudu Ram, r/o Kotli, P.O. Guneher, तहसील बैजनाथ, जिला कांगड़ा (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत।

श्री Shyam Lal s/o Late Sh. Dhudu Ram, r/o Kotli, P.O. Guneher, तहसील बैजनाथ, जिला कांगड़ा (हि0 प्र0) ने इस अदालत में प्रार्थना—पत्र गुजारा है कि उसके पिता Sh. Dhudu Ram की मृत्यु दिनांक 02-03-2013 को हुई थी, जोकि सम्बन्धित पंचायत/नगर पंचायत के रिकार्ड में पंजीकृत न है।

अतः इस नोटिस के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त पंजीकरण के बारे में कोई उजर/एतराज हो तो वह दिनांक 03-09-2021 या इससे पहले सुबह 10.00 बजे इस न्यायालय में असालतन या वकालतन हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा उपरोक्त मृत्यु का पंजीकरण करने के आदेश दे दिये जायेंगे। उसके उपरान्त कोई एतराज न सुना जायेगा।

आज दिनांक 30-07-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
बैजनाथ, जिला कांगड़ा (हि0 प्र0)।

ब अदालत कार्यकारी दण्डाधिकारी द्वितीय श्रेणी, बैजनाथ, जिला कांगड़ा (हि0 प्र0)

श्री राजेश कुमार सुपुत्र श्री शेर सिंह, निवासी वछोल, डाकघर चौबीन, तहसील बैजनाथ, जिला कांगड़ा (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना—पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969.

श्री राजेश कुमार सुपुत्र श्री शेर सिंह, निवासी वछोल, डाकघर चौबीन, तहसील बैजनाथ, जिला कांगड़ा (हि0 प्र0) ने इस अदालत में प्रार्थना—पत्र गुजारा है कि उसका जन्म दिनांक 15-06-2021 को चौबीन बैजनाथ में हुआ था, जोकि पंचायत/नगर पंचायत के रिकार्ड में पंजीकृत न है।

अतः इस नोटिस के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त जन्म के पंजीकरण बारे में कोई उजर/एतराज हो तो वह दिनांक 04-09-2021 को सुबह 10.00 बजे इस न्यायालय में असालतन या वकालतन हाजिर आकर उजर/एतराज पेश कर सकता है, अन्यथा उपरोक्त जन्म के पंजीकरण करने के आदेश दे दिए जाएंगे। उसके उपरान्त किसी भी प्रकार का कोई एतराज न सुना जाएगा।

आज दिनांक 24-07-2021 को मेरे हस्ताक्षर व मोहर द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
कार्यकारी दण्डाधिकारी द्वितीय श्रेणी,
बैजनाथ, जिला कांगड़ा (हि0 प्र0)।

ब अदालत सुमन धीमान तहसीलदार एवम् कार्यकारी दण्डाधिकारी, तहसील खुण्डियां,
जिला कांगड़ा (हि0 प्र0)

केस नं0 : 10/T. 2021/Misc.

तारीख पेशी : 04-09-2021

पुष्प लता पुत्री श्री अमर सिंह, निवासी गांव मतेहड, डाकघर व तहसील खुण्डियां, जिला कांगड़ा,
हिमाचल प्रदेश प्रार्थिया।

बनाम

आम जनता

प्रत्यार्थी।

उनवान मुकद्दमा.—जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के तहत जन्म तिथि पंजीकरण।

प्रार्थिया पुष्प लता पुत्री श्री अमर सिंह, निवासी गांव मतेहड, डाकघर व तहसील खुण्डियां जिला कांगड़ा, हिमाचल प्रदेश ने स्वयं उपस्थित होकर प्रार्थना-पत्र प्रस्तुत किया कि मेरा जन्म दिनांक 02-04-1978 को गांव मतेहड, डाकघर खुण्डिया में हुआ है, का पंजीकरण कानून की जानकारी न होने के कारण ग्राम पंचायत देहरू के अभिलेख में दर्ज न हो सका है। अतः जन्म तिथि का पंजीकरण ग्राम पंचायत देहरू, तहसील खुण्डियां के अभिलेख में दर्ज किया जाये।

अतः सर्वसाधारण को सुनवाई हेतु बजरिया इशतहार व मुस्त्री मुनादी द्वारा सूचित किया जाता है कि इस सम्बन्ध में किसी प्रकार का उजर/एतराज हो तो वह दिनांक 04-09-2021 को असातन व वकालतन पेश होकर अपना एतराज दर्ज करवा सकता है। उसके उपरान्त कोई भी उजर/एतराज जेरे समायत न होगा तथा पुष्प लता पुत्री श्री अमर सिंह, निवासी गांव मतेहड, डाकघर खुण्डियां की जन्म तिथि का पंजीकरण दिनांक 02-04-1978 जेरे धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के तहत ग्राम पंचायत देहरू के अभिलेख में दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 07-08-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
तहसीलदार एवम् कार्यकारी दण्डाधिकारी,
तहसील खुण्डियां, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री विजय शर्मा, सहायक समाहर्ता द्वितीय श्रेणी, बैजनाथ, जिला कांगड़ा (हि0 प्र0)

श्रीमती गायत्री देवी पत्नी स्व0 श्री पुरशोत्तम लाल राणा, निवासी वाचाल, डा0 चौबीन, तहसील बैजनाथ, जिला कांगड़ा (हि0 प्र0)।

बनाम

आम जनता

प्रार्थना-पत्र जेर धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत।

श्रीमती गायत्री देवी पत्नी स्व० श्री पुरशोत्तम लाल राणा, निवासी वाचाल, डा० चौबीन, तहसील बैजनाथ, जिला कांगड़ा (हि० प्र०) ने इस अदालत में प्रार्थना-पत्र गुजारा है कि उसके पुत्र का जन्म दिनांक 10-02-1981 को चौबीन बैजनाथ में हुआ था, जोकि पंचायत/नगर पंचायत के रिकार्ड में पंजीकृत न है।

अतः इस नोटिस के माध्यम से सर्वसाधारण को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त पंजीकरण के बारे में कोई उजर/एतराज हो तो वह दिनांक 07-09-2021 को सुबह 10.00 बजे इस न्यायालय में असालतन या वकालतन हाजिर आकर उजर/एतराज पेश कर सकता है अन्यथा उपरोक्त जन्म एवं मृत्यु का पंजीकरण करने के आदेश दे दिये जायेंगे। उसके उपरान्त कोई एतराज न सुना जायेगा।

आज दिनांक 24-07-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
बैजनाथ, जिला कांगड़ा (हि० प्र०)।

ब अदालत श्री शाम स्वरूप, नायब तहसीलदार एवम् सहायक समाहर्ता द्वितीय श्रेणी, भवारना,
जिला कांगड़ा (हि० प्र०)

किस्म मुकद्दमा: दुरुस्ती नाम

तारीख पेशी : 07-09-2021

श्रीमती शबनम पत्नी मनोज कुमार, निवासी गांव व डा० खडूहल, उप-तहसील भवारना, जिला कांगड़ा (हि० प्र०) प्रार्थिया।

बनाम

आम जनता

प्रतिवादी।

विषय.— प्रार्थना-पत्र दुरुस्ती नाम राजस्व अभिलेख महाल चंजेहड मौजा व उप-तहसील भवारना, पटवारवृत्त गढ-भवारना, उप-तहसील भवारना, जिला कांगड़ा (हि० प्र०)।

इश्तहार राजपत्र हि० प्र०, मुस्त्री मुनादी व चस्पांगी।

प्रार्थिया श्रीमती शबनम पत्नी मनोज कुमार, निवासी गांव व डा० खडूहल, उप-तहसील भवारना, जिला कांगड़ा (हि० प्र०) ने एक प्रार्थना-पत्र मय शपथ-पत्र पीठासीन अधिकारी के समक्ष प्रस्तुत करते हुए अनुरोध किया है कि उसकी माता का सही व विख्यात नाम राज देवी है तथा उसके आधार कार्ड, ग्राम पंचायत की परिवार नकल व मृत्यु प्रमाण-पत्र में भी उनका यही नाम दर्ज है, किन्तु राजस्व अभिलेख महाल चंजेहड मौजा व उप-तहसील भवारना में उसकी माता का नाम राज देवी के बजाए गलती से कौशल्या देवी दर्ज हो गया है।

अतः प्रार्थिया अपनी माता के नाम की उपरोक्त वर्णित महाल चंजेहड के राजस्व अभिलेख में दुरुस्ती करवा करके कौशल्या देवी के बजाए कौशल्या देवी उपनाम राज देवी पुत्री परमानंद दर्ज करवाना चाहती है। प्रार्थिया का आवेदन स्वीकार करते हुए मुस्त्री मुनादी, चस्पांगी व ईश्तहार राजपत्र हि० प्र० द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त प्रार्थिया के माता के नाम की वर्णित राजस्व महाल में दुरुस्ती करवा कर कौशल्या देवी के बजाए कौशल्या देवी उपनाम राज देवी पुत्री परमानंद दर्ज करवाने बारे उजर या एतराज हो तो वह दिनांक 07-09-2021 को असालतन या वकालतन हाजिर अदालत होकर अपना उजर पेश कर सकता है बाद तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व नाम दुरुस्ती का आदेश पारित कर दिया जावेगा।

ये इशतहार अखबारी राजपत्र, मुस्त्री मुनादी चस्पांगी आज दिनांक 22-07-2021 को मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
भवारना, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री शाम स्वरूप, नायब तहसीलदार एवम् सहायक समाहर्ता द्वितीय श्रेणी, भवारना,
जिला कांगड़ा (हि0 प्र0)

किस्म मुकद्दमा: दुरुस्ती नाम

तारीख पेशी : 07-09-2021

श्री सोहन लाल पुत्र चन्दू राम, निवासी महाल समलैना मौजा व उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) प्रार्थी।

बनाम

आम जनता

प्रतिवादी।

विषय.—प्रार्थना—पत्र दुरुस्ती नाम राजस्व अभिलेख महाल समलैना मौजा व उप-तहसील भवारना, पटवारवृत्त गढ-भवारना, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0)।

इशतहार राजपत्र हि0प्र0, मुस्त्री मुनादी व चस्पांगी।

प्रार्थी श्री सोहन लाल पुत्र चन्दू राम, निवासी महाल समलैना मौजा व उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना—पत्र मय शपथ—पत्र पीठासीन अधिकारी के समक्ष प्रस्तुत करते हुए अनुरोध किया है कि उसके पिता का सही व विख्यात नाम चन्दू राम है तथा प्रार्थी के आधार कार्ड व ग्राम पंचायत रमेहड की परिवार नकल में भी उनका यही नाम दर्ज है, किन्तु राजस्व अभिलेख महाल समलैना मौजा व उप-तहसील भवारना में उसके पिता का नाम चन्दू राम के बजाए गलती से धोगरु दर्ज हो गया है।

अतः प्रार्थी अपने पिता के नाम की उपरोक्त वर्णित महाल समलैना के राजस्व अभिलेख में दुरुस्ती करवा करके धोगरु के बजाए धोगरु राम उपनाम चन्दू राम दर्ज करवाना चाहता है। प्रार्थी का आवेदन स्वीकार करते हुए मुस्त्री मुनादी, चस्पांगी व ईशतहार राजपत्र हि0प्र0 द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त प्रार्थी के पिता के नाम की वर्णित राजस्व महाल में दुरुस्ती करवा कर धोगरु के बजाए धोगरु उपनाम चन्दू राम पुत्र बतरीडू दर्ज करवाने बारे उजर या एतराज हो तो वह दिनांक 07-09-2021 को असालतन या वकालतन हाजिर अदालत होकर अपना उजर पेश कर सकता है बाद तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व नाम दुरुस्ती का आदेश पारित कर दिया जावेगा।

ये इशतहार अखबारी राजपत्र, मुस्त्री मुनादी चस्पांगी आज दिनांक 22-07-2021 को मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
भवारना, जिला कांगड़ा (हि0 प्र0)।

**ब अदालत श्री शाम स्वरूप, नायब तहसीलदार एवम् सहायक समाहर्ता द्वितीय श्रेणी, भवारना,
जिला कांगड़ा (हि0 प्र0)**

किस्म मुकद्दमा: दुरुस्ती नाम

तारीख पेशी : 07-09-2021

श्री प्रतापा राम पुत्र बूटा राम, निवासी महाल लोहारकड, डा0 छैंछडी, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) प्रार्थी।

बनाम

आम जनता

प्रतिवादी।

विषय.—प्रार्थना—पत्र दुरुस्ती नाम राजस्व अभिलेख महाल लोहारकड मौजा खैरा, पटवारवृत्त लोहारकड, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0)।

इश्तहार राजपत्र हि0प्र0, मुस्त्री मुनादी व चस्पांगी।

प्रार्थी श्री प्रतापा राम पुत्र बूटा राम, निवासी महाल लोहारकड, डा0 छैंछडी, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना—पत्र मय शपथ—पत्र पीठासीन अधिकारी के समक्ष प्रस्तुत करते हुए अनुरोध किया है कि उसका सही व विख्यात नाम प्रतापा राम है तथा प्रार्थी के आधार कार्ड, पैन कार्ड, वोटर कार्ड व शैक्षणिक अभिलेख में भी उसका यही नाम दर्ज है, किन्तु राजस्व अभिलेख महाल लोहारकड, उप-तहसील भवारना में उसका नाम प्रतापा राम के बजाए गलती से प्रताप चंद पुत्र बूटा दर्ज हो गया है।

अतः प्रार्थी अपने नाम की उपरोक्त वर्णित महाल लोहारकड के राजस्व अभिलेख में दुरुस्ती करवा करके प्रताप चंद पुत्र बूटा के बजाए प्रताप चंद उपनाम प्रतापा राम पुत्र बूटा दर्ज करवाना चाहता है। प्रार्थी का आवेदन स्वीकार करते हुए मुस्त्री मुनादी, चस्पांगी व इश्तहार राजपत्र हि0प्र0 द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त प्रार्थी के नाम की वर्णित राजस्व महाल में दुरुस्ती करवा कर प्रताप चंद के बजाए प्रताप चंद उपनाम प्रतापा राम पुत्र बूटा दर्ज करवाने बारे उजर या एतराज हो तो वह दिनांक 07-09-2021 को असातन या वकालतन हाजिर अदालत होकर अपना उजर पेश कर सकता है बाद तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व नाम दुरुस्ती का आदेश पारित कर दिया जावेगा।

ये इश्तहार अखबारी राजपत्र, मुस्त्री मुनादी चस्पांगी आज दिनांक 22-07-2021 को मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
भवारना, जिला कांगड़ा (हि0 प्र0)।

**ब अदालत श्री शाम स्वरूप, नायब तहसीलदार एवम् सहायक समाहर्ता द्वितीय श्रेणी, भवारना,
जिला कांगड़ा (हि0 प्र0)**

किस्म मुकद्दमा: दुरुस्ती नाम

तारीख पेशी : 07-09-2021

वंशिका भंगालिया पुत्री स्व0 राजेश भंगालिया, निवासी गांव ककरेहड, मौजा खैरा, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) प्रार्थिया।

बनाम

आम जनता

प्रतिवादी।

विषय.—प्रार्थना-पत्र दुरुस्ती नाम राजस्व अभिलेख महाल ककरेहड, मौजा खैरा, उप-तहसील भवारना, पटवारवृत्त गढ-खैरा बूहला, उप-तहसील भवारना जिला कांगड़ा (हि0 प्र0)।

इशतहार राजपत्र हि0प्र0, मुस्त्री मुनादी व चस्पांगी।

प्रार्थिया वंशिका भंगालिया पुत्री स्व0 राजेश भंगालिया, निवासी गांव ककरेहड, मौजा खैरा, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना-पत्र मय शपथ-पत्र पीठासीन अधिकारी के समक्ष प्रस्तुत करते हुए अनुरोध किया है कि उसके दिवंगत पिता का सही व विख्यात नाम राजेश भंगालिया है तथा उसके आधार कार्ड, ग्राम पंचायत की परिवार नकल व मृत्यु प्रमाण-पत्र में भी उनका यही नाम दर्ज है, किन्तु राजस्व अभिलेख महाल ककरेहड मौजा खैरा व उप-तहसील भवारना में उसके पिता का नाम राजेश भंगालिया के बजाए गलती से राजेश पाल दर्ज हो गया है।

अतः प्रार्थिया अपने पिता के नाम की उपरोक्त वर्णित महाल ककरेहड के राजस्व अभिलेख में दुरुस्ती करवा करके राजेश पाल के बजाए राजेश पाल उपनाम राजेश भंगालिया दर्ज करवाना चाहती है। प्रार्थिया का आवेदन स्वीकार करते हुए मुस्त्री मुनादी, चस्पांगी व ईशतहार राजपत्र हि0प्र0 द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त प्रार्थिया के पिता के नाम की वर्णित राजस्व महाल में दुरुस्ती करवा कर राजेश पाल के बजाए राजेश पाल उपनाम राजेश भंगालिया दर्ज करवाने बारे उजर या एतराज हो तो वह दिनांक 07-09-2021 को असालतन या वकालतन हाजिर अदालत होकर अपना उजर पेश कर सकता है बाद तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व नाम दुरुस्ती का आदेश पारित कर दिया जावेगा।

ये इशतहार अखबारी राजपत्र, मुस्त्री मुनादी चस्पांगी आज दिनांक 22-07-2021 को मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

हस्ताक्षरित /—
सहायक समाहर्ता द्वितीय श्रेणी,
भवारना, जिला कांगड़ा (हि0 प्र0)।

ब अदालत श्री शाम स्वरूप, नायब तहसीलदार एवम् सहायक समाहर्ता द्वितीय श्रेणी, भवारना,
जिला कांगड़ा (हि0 प्र0)

किस्म मुकद्दमा: दुरुस्ती नाम

तारीख पेशी : 07-09-2021

श्री सुशील कटोच पुत्र भवानी सिंह, निवासी महाल मलकेहड, मौजा गढ जमूला, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) प्रार्थी।

बनाम

आम जनता

प्रतिवादी।

विषय.—प्रार्थना-पत्र दुरुस्ती नाम राजस्व अभिलेख महाल मलकेहड, मौजा गढ जमूला, उप-तहसील भवारना, पटवारवृत्त गढ-द्वितीय श्रेणी, उप-तहसील भवारना जिला कांगड़ा (हि0 प्र0)।

इशतहार राजपत्र हि0प्र0, मुन्त्री मुनादी व चस्पांगी।

प्रार्थी श्री सुशील कटोच पुत्र भवानी सिंह, निवासी महाल मलकेहड, मौजा गढ जमूला, उप-तहसील भवारना, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना-पत्र मय शपथ-पत्र पीठासीन अधिकारी के समक्ष प्रस्तुत करते हुए अनुरोध किया है कि उसका सही व विख्यात नाम सुशील कटोच पुत्र भवानी सिंह है तथा उसके आधार कार्ड व पैन कार्ड में भी उसका यही नाम दर्ज है, किन्तु राजस्व अभिलेख महाल मलकेहड मौजा गढ जमूला उप-तहसील भवारना में उसका नाम सुशील कटोच के बजाए गलती से सुशील चंद व पिता का नाम भवानी सिंह के बजाए गलती से भवानी चंद दर्ज हो गया है।

अतः प्रार्थी अपने व पिता के नाम की उपरोक्त वर्णित महाल मलकेहड के राजस्व अभिलेख में दुरुस्ती करवा करके सुशील चंद पुत्र भवानी चंद के बजाए सुशील चंद उपनाम सुशील कटोच पुत्र भवानी चंद उपनाम भवानी सिंह दर्ज करवाना चाहता है। प्रार्थी का आवेदन स्वीकार करते हुए मुन्त्री मुनादी, चस्पांगी व ईशतहार राजपत्र हि0प्र0 द्वारा आम जनता को सूचित किया जाता है कि यदि किसी व्यक्ति को उपरोक्त प्रार्थी व उसके पिता के नाम की वर्णित राजस्व महाल में दुरुस्ती करवा कर सुशील चंद पुत्र भवानी चंद के बजाए सुशील चंद उपनाम सुशील कटोच पुत्र भवानी सिंह दर्ज करवाने बारे उजर या एतराज हो तो वह दिनांक 07-09-2021 को असालतन या वकालतन हाजिर अदालत होकर अपना उजर पेश कर सकता है बाद तारीख पेशी किसी किस्म का उजर एवं एतराज नहीं सुना जावेगा व नाम दुरुस्ती का आदेश पारित कर दिया जावेगा।

ये इशतहार अखबारी राजपत्र, मुन्त्री मुनादी चस्पांगी आज दिनांक 22-07-2021 को मोहर अदालत व मेरे हस्ताक्षर से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
भवारना, जिला कांगड़ा (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, मझीण, जिला कांगड़ा (हि0 प्र0)

मिसल नं० : 03/NT. 2021.

तारीख पेशी : 15-09-2021

श्री हिमाल चन्द पुत्र श्री बख्शी चन्द, निवासी महाल टिप्परी, डा0 भटांवा, मौजा सिहोरवाला, उप-तहसील मझीण, तहसील खुण्डियां, जिला कांगड़ा, हिमाचल प्रदेश

प्रार्थी।

बनाम

आम जनता

प्रत्यार्थी।

विषय.— नाम दुरुस्ती बाबत राजस्व अभिलेख।

प्रार्थी श्री हिमाल चन्द पुत्र श्री बख्शी चन्द, निवासी महाल टिप्परी, मौजा सिहोरवाला, उप-तहसील मझीण, तहसील खुण्डियां, जिला कांगड़ा, हिमाचल प्रदेश ने स्वयं उपस्थित होकर प्रार्थना-पत्र प्रस्तुत किया है कि उसका नाम पटवार वृत्त सिहोरवाला-I के महाल टिप्परी, मौजा सिहोरवाला, उप-तहसील मझीण, जिला कांगड़ा, हिमाचल प्रदेश के राजस्व अभिलेख में महाल चन्द दर्ज है। जबकि प्रार्थी द्वारा दिये गये शपथ-पत्र, आधार कार्ड, राशन कार्ड, रिपोर्ट प्रधान व सचिव ग्राम पंचायत टिप्परी के अनुसार महाल चन्द का नाम ही हिमाल चन्द है। अतः राजस्व अभिलेख के पटवार वृत्त सिहोरवाला-I के महाल टिप्परी मौजा सिहोरवाला, उप-तहसील मझीण में उसका नाम महाल चन्द के बजाय महाल चन्द उपनाम हिमाल चन्द दर्ज किया जाये। वास्तव में भिन्न-भिन्न दो नामों का वह एक ही व्यक्ति है।

अतः सर्वसाधारण को सुनवाई हेतु बजरिये इश्तहार व मुस्त्री मुनादी द्वारा सूचित किया जाता है कि इस सम्बन्ध में किसी प्रकार का उजर/एतराज हो तो वह दिनांक 15-09-2021 को प्रातः 10.00 बजे तक असालतन व वकालतन पेश होकर अपना एतराज दर्ज करवा सकता है। उसके उपरान्त कोई भी उजर या एतराज जेरे समायत न होगा तथा श्री हिमाल चन्द पुत्र श्री बख्शी चन्द, निवासी महाल टिप्परी, मौजा सिहोरवाला, उप-तहसील मझीण, जिला कांगड़ा, हिमाचल प्रदेश का नाम राजस्व अभिलेख में महाल चन्द की बजाये महाल चन्द उपनाम हिमाल चन्द दर्ज करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 13-08-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
मझीण, जिला कांगड़ा (हि0 प्र0)

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, मझीण, जिला कांगड़ा (हि0 प्र0)

मिसल नं0 : 02/NT. 2021.

तारीख पेशी : 15-09-2021

श्री सुरेश कुमार पुत्र श्री मुख्य राज, गांव अमरेड, डा0 मझीण, उप-तहसील मझीण, तहसील खुण्डियां, जिला कांगड़ा, हिमाचल प्रदेश प्रार्थी।

बनाम

आम जनता

विषय.— प्रार्थना-पत्र अधिनियम धारा 13(3) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के तहत जन्म तिथि पंजीकरण।

प्रार्थी श्री सुरेश कुमार पुत्र श्री मुख्य राज, गांव अमरेड, डा0 मझीण, उप-तहसील मझीण, तहसील खुण्डियां, जिला कांगड़ा, हिमाचल प्रदेश ने इस अदालत में स्वयं उपस्थित होकर प्रार्थना-पत्र प्रस्तुत किया है कि उसका जन्म दिनांक 15-12-1977 को गांव अमरेड में हुआ है। परन्तु कानून की जानकारी न होने कारण ग्राम पंचायत मझीण के अभिलेख में जन्म तिथि पंजीकृत न हो सकी। अब वह ग्राम पंचायत मझीण के अभिलेख में जन्म तिथि पंजीकृत करवाना चाहता है।

अतः सर्वसाधारण को सुनवाई हेतु बजरिया इश्तहार व मुस्त्री मुनादी द्वारा सूचित किया जाता है कि इस सम्बन्ध में किसी भी व्यक्ति को किसी प्रकार का उजर/एतराज हो तो वह दिनांक 15-09-2021 को प्रातः 10.00 बजे तक असालतन व वकालतन पेश हो अधोहस्ताक्षरी के समक्ष अपना एतराज पेश कर सकता है। उसके उपरान्त कोई भी उजर या एतराज जेरे समायत न होगा तथा श्री सुरेश कुमार पुत्र श्री मुख्य राज, निवासी महाल अमरेड, डा0 व उप-तहसील मझीण, जिला कांगड़ा, हिमाचल प्रदेश की जन्म तिथि ग्राम पंचायत मझीण के अभिलेख में पंजीकृत करने के आदेश पारित कर दिये जायेंगे।

आज दिनांक 02-08-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
मझीण, जिला कांगड़ा (हि0 प्र0)

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी एवं कार्यकारी दण्डाधिकारी, तहसील धर्मशाला,
जिला कांगड़ा (हि0प्र0)

मुकद्दमा नं0 : / 21

Sh. Tek Bahadur s/o Sun Bhadur, r/o Upper Bhagsu Nag, P.O. Bhagsunag, Tehsil Dharamshala, District Kangra (H.P.).

बनाम

आम जनता

विषय.—प्रार्थना-पत्र जेरे धारा 13(3) हिमाचल प्रदेश पंजीकरण अधिनियम, 1969.

नोटिस बनाम आम जनता।

Sh. Tek Bahadur s/o Sun Bhadur, r/o Upper Bhagsu Nag, P.O. Bhagsunag, Tehsil Dharamshala, District Kangra (H.P.) ने इस अदालत में शपथ-पत्र सहित मुकद्दमा दायर किया है कि उसके Son Meem Gurung का जन्म दिनांक 29-09-2002 को हुआ है परन्तु एम0सी धर्मशाला/ग्राम पंचायत में जन्म पंजीकृत न है। अतः इसे पंजीकृत किये जाने के आदेश दिये जायें। इस नोटिस के द्वारा समस्त जनता को तथा सम्बन्धित सम्बन्धियों को सूचित किया जाता है कि यदि किसी को उपरोक्त Meem Bhadur के जन्म पंजीकृत किये जाने बारे कोई एतराज हो तो वह अपना हमारी अदालत में दिनांक 15-09-2021 को असालतन या वकालतन हाजिर आकर अपना एतराज पेश कर सकता है अन्यथा मुताबिक शपथ-पत्र जन्म तिथि पंजीकृत किये जाने बारे आदेश पारित कर दिये जायेंगे।

आज दिनांक 19-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी किया गया।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
धर्मशाला, जिला कांगड़ा (हि0प्र0)।

ब अदालत श्री सुशील कुमार, नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी, इन्दौरा,
जिला कांगड़ा (हि0 प्र0)

मिसल नं0 :

तारीख पेशी : 27-09-2021

श्री अजय कुमार पुत्र श्री प्रकाश चन्द पुत्र श्री माडू, वासी गांव व डाकघर इंदौरा, तहसील इन्दौरा,
जिला कांगड़ा (हि0 प्र0) प्रार्थी।

बनाम

आम जनता

विषय.—प्रार्थना-पत्र जेर धारा 13(3) जन्म एवम् मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत मृत्यु पंजीकृत करवाने के लिए।

प्रार्थी श्री अजय कुमार पुत्र श्री प्रकाश चन्द पुत्र श्री माडू, बासी गांव व डाकघर इंदौरा, तहसील इन्दौरा, जिला कांगड़ा, हि0 प्र0 ने प्रार्थना-पत्र प्रस्तुत करते हुए निवेदन किया है कि उसकी माता श्रीमती सुरजीत कौर पत्नी श्री प्रकाश चंद पुत्र श्री माडू राम, वासी गांव व डाकघर इंदौरा, तहसील इन्दौरा जिला कांगड़ा हिमाचल प्रदेश जिनकी मृत्यु दिनांक 10-11-2020 को गांव व डाकघर इंदौरा, तहसील इन्दौरा, जिला कांगड़ा, हि0 प्र0 में हुई है। उनका मृत्यु पंजीकरण ग्राम पंचायत इंदौरा, तहसील इन्दौरा, जिला कांगड़ा, हि0 प्र0 के जन्म व मृत्यु अभिलेख में दर्ज न हुआ है। प्रार्थी ने यह भी निवेदन किया है की उसके पिता का देहांत हो चुका है। इसलिए वह अपनी माता का मृत्यु पंजीकरण ग्राम पंचायत इंदौरा के अभिलेख में दर्ज करवा कर प्रमाण-पत्र हासिल करना चाहता है। जिसे दर्ज करने के आदेश पारित किये जाएं।

अतः इस इशतहार राजपत्र के द्वारा सर्वसाधारण को सूचित किया जाता है कि उक्त मृत्यु पंजीकरण करने बारे किसी भी व्यक्ति को कोई भी एतराज हो तो वह असालतन या वकालतन दिनांक 27-09-2021 को प्रातः 10.00 बजे अदालत हजा में उपस्थित होकर अपना एतराज पेश कर सकता है। कोई एतराज पेश न होने की सूरत में मृत्यु पंजीकरण के आदेश पारित कर दिए जाएंगे।

आज दिनांक 18-08-2021 को मेरे हस्ताक्षर व मोहर अदालत सहित जारी किया गया।

मोहर।

हस्ताक्षरित /—

नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय श्रेणी,
इन्दौरा, जिला कांगड़ा (हि0 प्र0)।

ब अदालत तहसीलदार एवं सहायक समाहर्ता, प्रथम श्रेणी नूरपुर, जिला कांगड़ा (हि0 प्र0)

श्री सुमित कुमार पुत्र श्री सुभाष चन्द पुत्र श्री शंकर, निवासी गांव खजन, डा0 सदवां, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) वादी।

बनाम

आम जनता

प्रतिवादी।

प्रार्थना-पत्र नाम दुरुस्ती खाता नं0 147, गांव खजन, डा0 सदवां, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0)।

प्रार्थी श्री सुमित कुमार पुत्र श्री सुभाष चन्द पुत्र श्री शंकर, निवासी गांव खजन, डा0 सदवां, तहसील नूरपुर, जिला कांगड़ा (हि0 प्र0) ने एक प्रार्थना-पत्र गुजारा है जिसमें निवेदन किया है कि उसके पिता का नाम उसके आधार कार्ड, स्कूल सर्टिफिकेट व अन्य दस्तावेज में सुमित कुमार पुत्र सुभाष चन्द पुत्र शंकर दास लिखा है, जोकि सही है, जबकि राजस्व रिकार्ड महाल खज्जन के खाता नं0 147 में उसके पिता का नाम सुभाष कुमार पुत्र शंकर दर्ज है जो कि गलत है। अतः उसके पिता का नाम दुरुस्त किया जाए।

प्रतिवादी आम जनता को इस इशतहार राजपत्र द्वारा सूचित किया जाता है कि यदि किसी व्यक्ति को उक्त प्रार्थी के पिता के नाम की दुरुस्ती होने पर कोई आपत्ति हो तो वह 20 दिन के अन्दर इस न्यायालय में असालतन या वकालतन हाजिर होकर एतराज दायर कर सकता है अन्यथा यह समझा जाएगा कि किसी को नाम दुरुस्ती पर आपत्ति नहीं है। अतः नियमानुसार नाम दुरुस्ती के आदेश जारी कर दिए जाएंगे।

आज दिनांक 07-08-2021 को मेरे हस्ताक्षर व मोहर अदालत से जारी हुआ।

मोहर।

हस्ताक्षरित /—

सहायक समाहर्ता, प्रथम श्रेणी,
नूरपुर, जिला कांगड़ा (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 05/2021

श्री डोले राम पुत्र श्री सिधडू राम, निवासी गांव थाचाधार, डाकघर गाडागुसैण, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्री डोले राम पुत्र श्री सिधडू राम, निवासी गांव थाचाधार, डाकघर गाडागुसैण, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में डोले राम ही दर्ज है, लेकिन राजस्व विभाग के रिकार्ड महाल थाचाधार में डोला राम दर्ज हो गया है। जिसको कि मैं दुरुस्त करके डोला राम के बजाये डोले राम ही दर्ज करवाना चाहता हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 06/2021

श्री प्रेम सिंह पुत्र श्री तुलसू, निवासी गांव बसूट, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्री प्रेम सिंह पुत्र श्री तुलसू, निवासी गांव बसूट, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में प्रेम सिंह ही दर्ज है, लेकिन राजस्व विभाग के रिकार्ड महाल खलवान में प्रीमू व महाल बसूट में प्रेमू दर्ज हो गया है। जिसको कि मैं दुरुस्त करके प्रीमू प्रेमू के बजाये प्रेम सिंह ही दर्ज करवाना चाहता हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 07/2021

श्री खुशी राम पुत्र श्री सउजू राम, निवासी गांव डाबणू, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्री खुशी राम पुत्र श्री सउजू राम, निवासी गांव डाबणू, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में खुशी राम ही दर्ज है, लेकिन राजस्व विभाग के रिकार्ड महाल चोहडी वटवाडा में खुशी राम दर्ज हो गया है। जिसको कि मैं दुरुस्त करके खुशी राम के बजाये खुशी राम ही दर्ज करवाना चाहता हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 08 / 2021

श्री जगदीश चन्द पुत्र श्री नरायण चन्द, निवासी गांव पारली करेरी, डाकघर खोलानाल, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्री जगदीश चन्द पुत्र श्री नरायण चन्द, निवासी गांव पारली करेरी, डाकघर खोलानाल, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरी मां का नाम प्रत्येक कागजात में नीमू देवी दर्ज है, लेकिन राजस्व विभाग के रिकार्ड महाल करथाच में नीरमू देवी दर्ज हो गया है। जिसको कि मैं दुरुस्त करके नीमू देवी ही दर्ज करवाना चाहता हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित /—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 09 / 2021

श्री लीलामण पुत्र श्री आलम चन्द, निवासी गांव नैहरा, डाकघर सोमनाचनी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

श्री लीलामण पुत्र श्री आलम चन्द, निवासी गांव नैहरा, डाकघर सोमनाचनी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र अधीन धारा (17) जन्म एवं मृत्यु पंजीकरण अधिनियम, 1969 के अन्तर्गत प्रस्तुत करके आवेदन किया है कि उनके पुत्र डुपलेश पुत्र लीलामणी की मृत्यु 02 फरवरी, 2016 में घर पर ही हुई है। जो ग्राम पंचायत भवनाश, तहसील बालीचौकी में दर्ज नहीं है जिसे प्रार्थी दर्ज करवाना चाहता है।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 10/2021

श्री जगदीश चन्द पुत्र श्री नरगू राम, निवासी गांव तान्दी, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्री जगदीश चन्द पुत्र श्री नरगू राम, निवासी गांव तान्दी, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में जगदीश चन्द ही दर्ज है, लेकिन राजस्व विभाग के रिकार्ड महाल चोहडी वटवाडा में जगदीश कुमार दर्ज हो गया है। जिसको कि मैं दुरुस्त करके जगदीश कुमार के बजाये जगदीश चन्द ही दर्ज करवाना चाहता हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 11/2021

श्री गिरी राज पुत्र श्रीमती हुमा देवी, निवासी गांव बुंग, डाकघर घन्यार, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्री गिरी राज पुत्र श्रीमती हुमा देवी, निवासी गांव बुंग, डाकघर घन्यार, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में गिरी राज ही दर्ज है, लेकिन राजस्व विभाग के रिकार्ड मुहाल बुंग में राजू दर्ज हो गया है। जिसको कि मैं दुरुस्त करके राजू के बजाये गिरी राज ही दर्ज करवाना चाहता हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 11/2021

श्रीमती टिकमी देवी पुत्री श्री इसरू पुत्र मिनू, निवासी गांव भरैडा, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्रीमती टिकमी देवी पुत्री श्री इसरू पुत्र मिनू, निवासी गांव भरैडा, डाकघर थाची, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में टिकमू देवी ही दर्ज है, लेकिन राजस्व विभाग के रिकार्ड मुहाल ददवास में शाहडी दर्ज हो गया है। जिसको कि मैं दुरुस्त करके शाहडी के बजाये टिकमू देवी ही दर्ज करवाना चाहती हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

ब अदालत सहायक समाहर्ता द्वितीय श्रेणी, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)

मिसल नम्बर : 13/2021

श्रीमती उमावन्ती पुत्री श्री चेत राम, निवासी गांव पंजाई, डाकघर पंजाई, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

बनाम

आम जनता

विषय.—राजस्व रिकार्ड में नाम दुरुस्ती बारे आवेदन पत्र ।

श्रीमती उमावन्ती पुत्री श्री चेत राम, निवासी गांव पंजाई, डाकघर पंजाई, तहसील बालीचौकी, जिला मण्डी (हि0 प्र0) ने एक आवेदन पत्र मय शपथ पत्र इस आशय के साथ गुजारा है कि मेरा नाम प्रत्येक कागजात में उमावन्ती ही दर्ज है, लेकिन राजस्व विभाग के रिकार्ड मुहाल पंजाई में उमा देवी दर्ज हो गया है। जिसको कि मैं दुरुस्त करके उमा देवी के बजाये उमावन्ती ही दर्ज करवाना चाहती हूं।

अतः इस इशतहार द्वारा सर्वसाधारण जनता व हितबद्ध व्यक्तियों को सूचित किया जाता है कि उपरोक्त नाम को दुरुस्त करने बारे किसी भी व्यक्ति को कोई आपत्ति हो तो वह दिनांक 03-09-2021 को या इससे पूर्व अधोहस्ताक्षरी के समक्ष असालतन या वकालतन उपस्थित होकर अपनी आपत्ति दर्ज कर सकता है। इसके पश्चात् कोई भी एतराज काबिले समायत नहीं होगा तथा आवेदन पत्र पर नियमानुसार कार्यवाही अमल में लाई जाएगी।

आज दिनांक 05-08-2021 को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
सहायक समाहर्ता द्वितीय श्रेणी,
तहसील बालीचौकी, जिला मण्डी (हि0 प्र0)।

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Karan Arora s/o Sh. Jagmohan Arora, r/o H. No. 261/6, Samkhetar Mohalla Mandi Town, P.O. Mandi, Tehsil Sadar, District Mandi, H.P.
2. Surbhi Mahajan d/o Sh. Kimti Lal Mahajan, r/o H. No. 107/22, ACRE, Tehsil and District Barnala, Punjab-148101. . . *Applicants.*

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Karan Arora s/o Sh. Jagmohan Arora, r/o H. No. 261/6, Samkhetar Mohalla Mandi Town, P.O. Mandi, Tehsil Sadar, District Mandi, H.P. and Surbhi Mahajan d/o Sh. Kimti Lal Mahajan, r/o H. No. 107/22, ACRE, Tehsil and District Barnala, Punjab-148101. (at present wife of Karan Arora s/o Sh. Jagmohan Arora, r/o H. No. 261/6, Samkhetar Mohalla Mandi Town, P.O. Mandi, Tehsil Sadar, District Mandi, H.P. have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 28-07-2013 according to Hindu rites and customs at Vishal Banquet Hall Mandi, District Mandi and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 03-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 04th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-
*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).*

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Raj Rumar s/o Sh. Mahender Kumar, Village Sarsehad, P.O. Nagwain, Tehsil Aut, District Mandi, H.P.

2. Parwati d/o Sh. Revat Ram, Village Sarsehad, P.O. Nagwain, Tehsil Aut, District Mandi, H.P. . . Applicants.

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Raj Rumar s/o Sh. Mahender Kumar, Village Sarsehad, P.O. Nagwain, Tehsil Aut, District Mandi, H.P. and Parwati d/o Sh. Revat Ram, Village Sarsehad, P.O. Nagwain, Tehsil Aut, District Mandi, H.P. (at present wife of Raj Rumar s/o Sh. Mahender Kumar, Village Sarsehad, P.O. Nagwain, Tehsil Aut, District Mandi (H.P.) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 18-02-2002 according to Hindu rites and customs at their respective houses Mandi, District Mandi and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 03-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 04th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-
Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Goldy Sharma s/o Shiri Niwas, r/o Barout, Baraut(81), Barout Kurukshetra, Haryana-136132.

2. Sonika d/o Sh. Hem Raj, r/o H. No. 90/8, Darmayana Muhalla, P.O. Mandi, Tehsil Sadar, District Mandi, H.P. . . Applicants.

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Goldy Sharma s/o Shiri Niwas, r/o Barout, Baraut(81), Barout Kurukshetra, Haryana-136132 and Sonika d/o Sh. Hem Raj, r/o H. No. 90/8, Darmayana Muhalla, P.O. Mandi, Tehsil Sadar, District Mandi, H.P (at present wife of Goldy Sharma s/o Shiri Niwas, r/o Barout, Baraut(81), Barout Kurukshetra, Haryana-136132) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 24-11-2020 according to Hindu rites and customs at Tarna Temple Mandi, District Mandi and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 03-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 04th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).*

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Karun Sharma s/o Sh. Pawan Kumar, Village Trayambla (Bag), P.O. Pandoh , Tehsil Sadar, District Mandi, H.P.

2. Anjna Sharma d/o Sh. Ramesh Sharma, Vill. Karwandi, P.O. Gohar, Tehsil Chachyot, District Mandi, H.P. . . Applicants.

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Karun Sharma s/o Sh. Pawan Kumar, Village Trayambla (Bag), P.O. Pandoh , Tehsil Sadar, District Mandi, H.P. and Anjna Sharma d/o Sh. Ramesh Sharma, Vill. Karwandi, P.O. Gohar, Tehsil Chachyot, District Mandi, H.P. (at present wife of Karun Sharma, s/o Sh. Pawan Kumar, Village Trayambla (Bag), P.O. Pandoh , Tehsil Sadar, District Mandi, H.P) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 22-07-2021 according to Hindu rites and customs at Shri Dev Kamaru Nag Temple Karwandi Gohar, District Mandi and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 04-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 05th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).*

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Ajay s/o Sh. Jyoti Sharma, r/o H. No. 333, K. R. Niwas Bhiuli, P.O. Purani Mandi, Tehsil Sadar, District Mandi, H.P.

2. Ranjna d/o Sh. Pawan Kumar, r/o H. No. 24/10, Chanderlok Street Mandi Town, Tehsil Sadar, District Mandi, H.P. . . *Applicants.*

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Ajay s/o Sh. Jyoti Sharma, r/o H. No. 333, K. R. Niwas Bhiuli, P.O. Purani Mandi, Tehsil Sadar, District Mandi, H.P. and Ranjna d/o Sh. Pawan Kumar, r/o H. No. 24/10, Chanderlok Street Mandi Town, Tehsil Sadar, District Mandi, H.P. (at present wife of Ajay s/o Sh. Jyoti Sharma, r/o H. No. 333, K. R. Niwas Bhiuli, P.O. Purani Mandi, Tehsil Sadar, District Mandi, H.P.) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 19-10-2020 according to Hindu rites and customs at their respective houses Mandi, District Mandi and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 04-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 05th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).*

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Sonu s/o Sh. Lakhvinder Singh, r/o H. No. 97/3, Jail Road Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P.
2. Navneet Kaur d/o Sh. Narayan Singh, r/o H. No. 92/6, Samkhetar Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P. . . Applicants.

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Sonu s/o Sh. Lakhvinder Singh, r/o H. No. 97/3, Jail Road Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P. and Navneet Kaur d/o Sh. Narayan Singh, r/o H. No. 92/6, Samkhetar Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P. (at present wife of Sonu s/o Sh. Lakhvinder Singh, r/o H. No. 97/3, Jail Road Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P.) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 16-02-2020 according to Hindu (Sikh) rites and customs at Gurudwara Shri Bhaini Sahib Ludhiana (Punjab) and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 06-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 07th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).*

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Lal Singh s/o Sh. Bhup Singh, Vill. Ghat, P.O. Deori, Tehsil Sadar, District Mandi, H.P.
2. Neelam Devi d/o Sh. Bhagat Ram, V. P.O. Baryara, Tehsil Kotli, District Mandi, H.P. . . Applicants.

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Lal Singh s/o Sh. Bhup Singh, Vill. Ghat, P.O. Deori, Tehsil Sadar, District Mandi, H.P. and Neelam Devi d/o Sh. Bhagat Ram, V. P.O. Baryara, Tehsil Kotli, District Mandi, H.P. (at present wife of Lal Singh s/o Sh. Bhup Singh, Vill. Ghat, P.O. Deori, Tehsil Sadar, District Mandi, H.P.) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 20-10-2020 according to Hindu rites and customs at Baniouri Temple Chachiot, District Mandi and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 05-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 06th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).*

**In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Sadar,
District Mandi, H. P.**

In the matter of :—

1. Himansu Dhawan s/o Sh. Shart Chander Dhawan, r/o H.No. 172/8, Darmiyuana Muhalla Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P.
2. Divya Sharma d/o Sh. Yogesh Sharma, r/o V. P.O. Kunhoo, Tehsil Karsog, District Mandi, H.P. . . Applicants

Versus

General Public

Subject.—Application for the registration of Marriage under Section 15 of Special Marriage Act, 1954.

Himansu Dhawan s/o Sh. Shart Chander Dhawan, r/o H.No. 172/8, Darmiyuana Muhalla Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P. and Divya Sharma d/o Sh. Yogesh Sharma, r/o V. P.O. Kunhoo, Tehsil Karsog, District Mandi, H.P. (at present wife of Himansu Dhawan s/o Sh. Shart Chander Dhawan, r/o H.No. 172/8, Darmiyuana Muhalla Mandi, P.O. Mandi, Tehsil Sadar, District Mandi, H.P.) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 that they have solemnized their marriage on 16-08-2021 according to Hindu rites and customs at Bagla Mukha Temple Chobatta Bazar Mandi, and they are living together as husband and wife since then. Hence, their marriage may be registered under Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objection regarding this marriage, can file the objection personally or in writing before this court on or before 15-09-2021 after that no objection will be entertained and marriage will be registered.

Issued today on 16th day of August, 2021 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Sadar, District Mandi (H.P.).*

**Before the Court of Dr. Ganesh Thakur Assistant Collector 1st Grade (Tehsildar),
Tehsil Sadar, District Mandi, H. P.**

File No. : 19/2021

Date of institution : 15-06-2021

Date of decision : 17-09-2021

Ashoka Furnishers Ram Nagar Mandi, Tehsil Sadar, District Mandi (H.P.) through Ashutosh s/o Kewal Krishan @ Kewal Singh Sethi s/o Roshan Lal, r/o Ram Nagar, Mandi, Tehsil Sadar, District Mandi (H.P.) . . *Applicants*

Versus

General Public

Application under section 35 to 39 of H.P. Land Revenue Act, 1954 for correction of Revenue Entries.

Ashoka Furnishers Ram Nagar Mandi, Tehsil Sadar, District Mandi (H.P.) through Ashutosh s/o Kewal Krishan @ Kewal Singh Sethi s/o Roshan Lal, r/o Ram Nagar, Mandi, Tehsil Sadar, District Mandi (H.P.) has filed an application stating therein that they have purchased land comprised in Khata/Khatauni No. 333min/396min, Khasra No. 2369 measuring 169-50 sq. meters, situated in Mohal Mangwain/366/8, Tehsil Sadar, District Mandi (H.P.) from Sh. Devi Roop son of Sh. Narpat son of Dayalu, resident of Mangwain Mohalla, Mandi Town, Tehsil Sadar, District Mandi (H.P.) and the entries are running in the name of Ashutosh sons of Kewal Krishan *alias* Kewal Sethi son of Roshan Lal local resident and these entries are still subsisting in the Nakal Jamabandi of Muhal Mangwain, Tehsil Sadar, District Mandi. The name of their Firm who hold this property *i.e.* Khasra No.2369 area measuring 169.50 sq. meters (Gair Mumkin House Pucca Single Storey) is Ashoka Furnishers Ram Nagar Mandi, Tehsil Sadar Mandi. They have requested to correct the actual and real name of Firm in the revenue record against the above Khasra Number

i.e. Ashoka Furnishers Ram Nagar Mandi, Tehsil Sadar, District Mandi through Ashutosh Sethi s/o Kewal Krishan @ Kewal Sethi s/o Roshan Lal, r/o Ram Nagar, Mandi, since this firm is the actual owner of the property.

In support of the application the applicant has attached copy of sale deed and along with other relevant documents. For the confirmation of the claim/ application a proclamation is issued hereby to the General Public with the contents that if anybody has any objections regarding this claim he can file the objection or appear in person in my court on or before 17-09-2021. If no objection is received from the general public thereupon, *ex-parte* proceeding will be taken against the general public. Therefore order to correct the entry in Possession columns of Jamabandi as per the application.

Given under my hand and seal of the court today this 17th day of July, 2021.

Seal.

DR. GANESH THAKUR,
Assistant Collector 1st Grade,
Tehsil Sadar, District Mandi, H. P.

ब अदालत तहसीलदार एवं सहायक समाहर्ता प्रथम वर्ग, हरोली, जिला ऊना (हि0प्र0)

इश्तहार मुश्त्री मुनादी जेर धारा-23 भू-राजस्व अधिनियम, 1954

दरखास्त बमुराद दुरुस्ती राजस्व रिकार्ड महाल रोडा वालीवाल की जमाबन्दी साल 2017-2018 में अमिया पुत्र रला की बजाये दलीप सिंह पुत्र रला दर्ज करने बारे।

बनाम

आम जनता

उपरोक्त मुकद्दमा उनवान वाला में प्रार्थी पलविन्दर सिंह पुत्र सुच्चा सिंह, वासी रोडा वालीवाल, तहसील हरोली, जिला ऊना ने प्रार्थना-पत्र प्रस्तुत करके निवेदन किया है कि उसके दादा का नाम खेवट नम्बर 442, खतौनी नम्बर 599, जमाबन्दी साल 2017-2018 में अमिया पुत्र रला गलत चला आ रहा है। जबकि उसके दादा का सही नाम दलीप सिंह पुत्र रला है। अतः सर्वसाधारण को इस इश्तहार द्वारा सूचित किया जाता है कि अगर किसी भी व्यक्ति को उक्त नाम की दुरुस्ती बारे कोई एतराज हो तो वह मुकद्दमा की पैरवी हेतु असातन या वकालतन इस न्यायालय में दिनांक 03-09-2021 को प्रातः 10.00 बजे हाजिर आयें हाजिर न आने की सूरत में उनके खिलाफ एकतरफा कार्यवाही अमल में लाई जाकर मुकद्दमा का निपटारा कर दिया जायेगा।

आज दिनांक को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित /—
तहसीलदार एवं सहायक समाहर्ता प्रथम वर्ग,
हरोली, जिला ऊना (हि0 प्र0)।

ब अदालत तहसीलदार एवं सहायक समाहर्ता प्रथम वर्ग, हरोली, जिला ऊना (हि0प्र0)

इश्तहार मुश्त्री मुनादी जेर धारा-23 भू-राजस्व अधिनियम, 1954

दरखास्त बमुराद दुरुस्ती राजस्व रिकार्ड महाल रोडा वालीवाल की जमाबन्दी साल 2017-2018 में ध्यान सिंह की बजाये धन्ना सिंह दर्ज करने बारे।

बनाम

आम जनता

उपरोक्त मुकद्दमा उनवान वाला में प्रार्थी तलविन्दर सिंह पुत्र सन्ता सिंह, वासी रोडा वालीवाल, तहसील हरोली, जिला ऊना ने प्रार्थना-पत्र प्रस्तुत करके निवेदन किया है कि उसके दादा का नाम खेवट नम्बर 442, खतौनी नम्बर 599, 600 जमाबन्दी साल 2017-2018 में ध्यान सिंह पुत्र रला गलत चला आ रहा है। जबकि प्रार्थी अपने दादा का नाम ध्यान सिंह पुत्र रला की बजाये धन्ना सिंह पुत्र रला दर्ज कराना चाहता है। अतः सर्वसाधारण को इस इश्तहार द्वारा सूचित किया जाता है कि अगर किसी भी व्यक्ति को उक्त नाम की दुरुस्ती बारे कोई एतराज हो तो वह मुकद्दमा की पैरवी हेतु असालतन या वकालतन इस न्यायालय में दिनांक 03-09-2021 को प्रातः 10.00 बजे हाजिर आयें हाजिर न आने की सूरत में उनके खिलाफ एकतरफा कार्यवाही अमल में लाई जाकर मुकद्दमा का निपटारा कर दिया जायेगा।

आज दिनांक को मेरे हस्ताक्षर व मोहर अदालत द्वारा जारी हुआ।

मोहर।

हस्ताक्षरित/—
तहसीलदार एवं सहायक समाहर्ता प्रथम वर्ग,
हरोली, जिला ऊना (हि0 प्र0)।

ब अदालत श्री संजय कुमार, नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय वर्ग, ऊना,
जिला ऊना (हि0 प्र0)

मुकद्दमा : इन्द्राज सेहत नाम।

पेशी : 16-09-2021.

दावा संख्या नं0...../Teh. Una/M. Reg./2021.

केवल कृष्ण पुत्र श्री दाता राम, वासी वार्ड नं0 4, विवेक नगर ऊना, तहसील व जिला ऊना (हि0 प्र0)
वादी।

बनाम

आम जनता

विषय.—दुरुस्ती नाम हि0 प्र0 रा0 अधिनियम, 1954 की जेर धारा 37 के तहत उप-महाल मलाहत नगर में नाम दुरुस्ती बारे।

उपरोक्त मुकद्दमा बारे प्रार्थी ने इस न्यायालय में प्रार्थना-पत्र गुजारा है जिसमें लिखा है कि उसका स्वयं का सही नाम केवल कृष्ण है जबकि उप-महाल मलाहत नगर के राजस्व अभिलेख में उसका स्वयं का

नाम केवल राम पुत्र श्री दातू राम दर्ज है जोकि गलत इन्द्राज हुआ है। प्रार्थी उक्त नाम को दुरुस्त करके केवल राम उपनाम केवल कृष्ण पुत्र श्री दातू राम दर्ज करवाना चाहता है।

अतः उक्त प्रार्थना-पत्र के सन्दर्भ में उपरोक्त नाम की दुरुस्ती बारे किसी को कोई उजर या एतराज हो तो वह असालतन या वकालतन इस न्यायालय में दिनांक 16-09-2021 को सुबह 10.00 बजे हाजिर आ सकता है। हाजिर न आने की स्थिति में एकतरफा कार्यवाही अमल में लाई जाकर आगामी आदेश पारित कर दिये जाएंगे। इसके बाद कोई भी उजर या एतराज काबिले समायत न होगा।

आज दिनांक 17-08-2021 को मेरे हस्ताक्षर व न्यायालय की मोहर द्वारा जारी हुआ।

मोहर।

संजय कुमार,
नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय वर्ग,
ऊना, जिला ऊना (हि0 प्र0)।

ब अदालत श्री संजय कुमार, नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय वर्ग, ऊना,
जिला ऊना (हि0 प्र0)

मुकद्दमा : इन्द्राज सेहत नाम।

पेशी : 16-09-2021.

दावा संख्या नं0...../Teh. Una/M. Reg./2021.

सुशील कुमार पुत्र श्री पिरथी सिंह, वासी चलोला, तहसील व जिला ऊना (हि0 प्र0)

वादी।

बनाम

आम जनता

विषय.—दुरुस्ती नाम हि0 प्र0 रा0 अधिनियम, 1954 की जेर धारा 37 के तहत उप-महाल चलोला द्वितीय में नाम दुरुस्ती बारे।

उपरोक्त मुकद्दमा बारे प्रार्थी ने इस न्यायालय में प्रार्थना-पत्र गुजारा है जिसमें लिखा है कि उसकी दादी का सही नाम श्रीमती अनार देवी है जबकि उप-महाल चलोला द्वितीय के राजस्व अभिलेख में उसकी दादी का नाम नार देवी दर्ज है जोकि गलत इन्द्राज हुआ है। प्रार्थी उक्त नाम को दुरुस्त करके नार देवी उपनाम अनार देवी दर्ज करवाना चाहता है।

अतः उक्त प्रार्थना-पत्र के सन्दर्भ में उपरोक्त नाम की दुरुस्ती बारे किसी को कोई उजर या एतराज हो तो वह असालतन या वकालतन इस न्यायालय में दिनांक 16-09-2021 को सुबह 10.00 बजे हाजिर आ सकता है। हाजिर न आने की स्थिति में एकतरफा कार्यवाही अमल में लाई जाकर आगामी आदेश पारित कर दिये जाएंगे। इसके बाद कोई भी उजर या एतराज काबिले समायत न होगा।

आज दिनांक 17-08-2021 को मेरे हस्ताक्षर व न्यायालय की मोहर द्वारा जारी हुआ।

मोहर।

संजय कुमार,
नायब तहसीलदार एवं सहायक समाहर्ता द्वितीय वर्ग,
ऊना, जिला ऊना (हि0 प्र0)।

In the Court of Marriage Officer-cum-Sub-Divisional Magistrate, Bangana, Distt. Una (H.P.)

1. Sh. Deepak Bodh s/o Shri Dev Raj Bodh, r/o Village Rounkhar, P.O.Talmehra, Tehsil Bangana, District Una (H.P.).

2. Pooja d/o Sh. Vijay Kumar, r/o House No. F13/561, Gali No. 3 Nehru Colony Majitha Road, Amritsar-1, Punjab
...Applicants.

Versus

General Public

Subject.—Application for the registration of marriage under section 15 of Special Marriage Act, 1954 (H.P.).

Sh. Deepak Bodh s/o Shri Dev Raj Bodh, r/o Village Rounkhar, P.O.Talmehra, Tehsil Bangana, District Una (H.P.) and Pooja d/o Sh. Vijay Kumar, r/o House No. F13/561, Gali No. 3 Nehru Colony Majitha Road, Amritsar-1, Punjab at present wife of Sh. Deepak Bodh s/o Shri Dev Raj Bodh, r/o Village Rounkhar, P.O.Talmehra, Tehsil Bangana, District Una (H.P.) have filed an application alongwith affidavits in the court of undersigned under Section 15 of Special Marriage Act, 1954 (H.P.) that they have solemnized their marriage on 23-11-2019 according to Hindu rites customs at Village Rounkhar, P.O.Talmehra, Tehsil Bangana, District Una (H.P.) and they are living together as husband and wife since then. Hence their marriage may be registered under section 15 of the Special Marriage Act, 1954.

Therefore, the general public is hereby informed through this notice that any person who has any objections regarding this marriage can file the objections personally or in writing before this court on or before 28-09-2021. After that no objections will be entertained and marriage will be registered.

Issued today on 10th August, 2021 under my hand and seal of the court.

Seal.

Sd/-

*Marriage Officer-cum-Sub-Divisional Magistrate,
Bangana, District Una (H.P.).*

नाम परिवर्तन

मैं, अनु रोंगटा पुत्री श्री राजेन्द्र सिंह, निवासी गांव जशला, डाकघर देवरी खनेटी, तहसील कोटखाई, जिला शिमला (हि0प्र0) घोषणा करती हूं कि सरकारी दस्तावेजों में मेरा नाम अनु धरमेईक व मेरे पिता का नाम राजा राम गलत दर्ज है जिसे दुरुस्त कर मैट्रिक के दस्तावेज अनुसार मैं अपना नाम अनु रोंगटा और पिता का नाम दुरुस्त कर राजेन्द्र सिंह कर रही हूं। सभी सरकारी दस्तावेजों में इसे ठीक किया जाए।

अनु रोंगटा,
पुत्री श्री राजेन्द्र सिंह, निवासी गांव जशला,
डाकघर देवरी खनेटी, तहसील कोटखाई,
जिला शिमला (हि0प्र0)।